



Mohammad Hassan <hassan9291@gmail.com>

5912 9th St NW

36 messages

Steven Snider <Steven.Snider@sniderweinstein.com>
To: "hassan9291@gmail.com" <hassan9291@gmail.com>

Thu, Jun 16, 2022 at 1:40 PM

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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Steven Snider <Steven.Snider@sniderweinstein.com>
To: "hassan9291@gmail.com" <hassan9291@gmail.com>

Mon, Jun 20, 2022 at 5:14 PM

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Board of Zoning Adjustment
District of Columbia
CASE NO. 20760
EXHIBIT NO. 29

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>
To: Steven Snider <Steven.Snider@sniderweinstein.com>

Mon, Jun 20, 2022 at 5:21 PM

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,
-Mohammad
[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>
To: Mohammad Hassan <hassan9291@gmail.com>

Mon, Jun 20, 2022 at 5:22 PM

Thank you.

Sent from my iPhone

On Jun 20, 2022, at 5:21 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>
To: Steven Snider <Steven.Snider@sniderweinstein.com>

Mon, Jun 27, 2022 at 8:41 AM

Steven,

Are you available to talk tomorrow at 9am or 2pm? I can give you a call then.

Best,
-Mohammad
[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>
To: Mohammad Hassan <hassan9291@gmail.com>

Mon, Jun 27, 2022 at 8:57 AM

Yes. Call my cell.

Sent from my iPhone

On Jun 27, 2022, at 8:41 AM, Mohammad Hassan <hassan9291@gmail.com> wrote:

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>
To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>

Wed, Jul 13, 2022 at 3:37 PM

Cc: "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>

Mr. Snider,

As a recap to our conversations, we discussed:

- Unpaid HOA Dues; please find attached. There is an overdue amount of **\$6,846.00** (inclusive of upcoming August payment). This can be cause for the **HOA to place a lien**, an option we rather not exercise. As a gesture of good will, we've also waived any and all late fees.
- Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now.

We recognize it's in your best interest to have HOA approval for BZA Zoning relief and DCRA CofO review. As majority owners of the building, any permit or CofO changes require HOA approval. A bargain can be struck where we support you in remediating current issues while also protecting against the risk of future issues due to poor construction.


As first time homeowners, we did not anticipate the number of issues we've faced and we're at a point, where we're willing to work with you, BZA, DCRA to reach a mutually beneficial agreement that meets all parties interests.

Best,

-Mohammad

(240) 482-6127

[Quoted text hidden]

 **Invoice_3_2022-02-01.pdf**
22K

Steven Snider <Steven.Snider@sniderweinstein.com>

Wed, Jul 13, 2022 at 4:28 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, Mike Kuehn <mike@mkuehn.com>, Adam Carballo <adam@carballoarch.com>, Hannah Breedlove <hannah@carballoarch.com>

Mr. Hassan—thank you for your e-mail. I appreciate your call earlier today and the opportunity to substantively discuss the 9th Street matter after trying to reach you by e-mail and phone numerous times over the past several weeks. As you know, Santorini Capital was the lender that financed the purchase and renovation of the property located at 5912 9th St NW (the "Property" or "Building"). Santorini was **not** the developer that bought the Building and performed the renovation (the "Developer"). Santorini funded the loan, and the Developer completed the renovation, sold four units and was seeking a Certificate of Occupancy for a fifth unit when DCRA issued a letter that the Developer did not have the necessary permits to build a fifth unit in the Building. Following numerous defaults by the Developer, Santorini foreclosed on its first trust lien on the Property (which, at that point, after the sale of four units, was a lien on Unit 5 only), and Unit 5 was acquired at the foreclosure sale by SC Holdings Peabody LLC (the "New Owner"). Neither Santorini nor the New Owner developed or renovated the Property. The New Owner understands its obligation to pay HOA dues. However, it is not liable for nor willing to pay amounts required to address "structural and other major issues with the building." I understand that you did not anticipate these issues as first time homeowners. Similarly, Santorini and the New Owner did not anticipate these issues as a lender or foreclosure purchaser, respectively. The problems were caused by the Developer. We believe it is in the HOA's best interest to put "on line" an additional Unit owner that will pay HOA dues to address condominium issues that have identified. And, I believe, we should seek redress from the Developer responsible for creating the unfortunate situation in which we both find ourselves. We look forward to working with you and hope you will support the BZA filing that has been made. Kind regards. Steve

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>

Wed, Jul 13, 2022 at 5:24 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>

Cc: "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>

Mr. Snider,

Thanks for your response.

1. When can the HOA expect payment for the unpaid HOA dues?
2. You still need HOA approval to receive BZA relief and/or an updated CofO. Please share your written request to the HOA to evaluate. DCRA cannot provide an updated CofO until the HOA approves. We're the majority owners of "5912 9th St NW (Square 2986, Lot 25)", not "SC Holdings Peabody, LLC"

While I appreciate that you're also in a unfortunate situation. You worked with Tom/Mick ("the developer") and financed the original project. Furthermore, Santorini Capital and SC Holdings Peabody, LLC knowingly bought the property at foreclosure for 251K and assumed risks. This was after the HOA had raised issues to DCRA about unauthorized permitting. This was public information as DCRA had a stop work order on the building. Regardless of knowledge or lack thereof, the HOA holds majority ownership and you will need our approval to make this unit legal which comes with our fair and balanced terms. In the meantime, we'll protect our investment in the building and the future owner of the property.

Finally, I find the use of "New Owner" is misleading. This was a clever paper change. You're the contact and President for both LLCs (SC Holdings Peabody LLC and Santorini Capital), therefore ownership changed in the LLC sense but not in a way that is materially important for the HOAs stance:

Contacts

Get in Touch with 1 Principals*

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STEVEN SNIDER
President

[See All Contacts](#)

Santorini Capital LLC

License History

Licensee Name	Agent Name	Address	Billing Address	License Category	License Category Code	License Issue Date	License End Date
SC PEABODY LLC.	STEVEN S. SNIDER	521 Peabody St Nw, Washington, DC 20011	1928 BENNING ROAD N. WASHINGTON DC 20002	Apartment	5001	2022-01-12	2022-01-31

SC Peabody LLC

Hopefully we're able to find middle ground and this would be something that is in everyone's best interest. Until then –

Mr. Legrant, Mr. Rohan Reid, Ms. Bardin – The HOA is opposed to an updated CofO and BZA relief until we can finish negotiations with Mr. Snider and receive unpaid HOA dues and strike a bargain for the structural and construction defects to the building. These are issues that a DCRA inspector should/would find in the process of approving any change to permits anyways. The reports have been shared with DCRA and BZA already.

Best,

-Mohammad

(240) 482-6127

[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>

Wed, Jul 13, 2022 at 5:46 PM

To: Mohammad Hassan <hassan9291@gmail.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>

Cc: "Philipps, Bradley" <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>

They key part of your e-mail is:

"Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now."

HOA is basically saying that we need its approval to obtain BZA approval and a CofO. The cost of such approval is that the Unit 5 owner pay for "current and future issues and/or pay our contractors to fix the issues now." I abhor extortion. Santorini was the lender. SC Holdings Peabody LLC was the purchaser at a foreclosure initiated by Santorini. Neither is a Developer. It is not appropriate for you to demand that Santorini or SC Holdings Peabody LLC assume the Developer's responsibility to obtain HOA approval.

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>

Wed, Jul 13, 2022 at 6:37 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>

Cc: "Philipps, Bradley" <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>

No, the HOA is saying the following: The issues with the structure are due to the load bearing nature of Unit 5 which you knowingly bought into and we ask you to fix or pay for the fix so the building is safe and sound for us and the future owner you'll eventually sell to.

Alternatively, maybe you can just tear it down? That would be just as good from our perspective but likely not yours. Are you willing to do this?

I didn't hear from you on when you'll pay dues? They've been outstanding for years.

In any case, as I stated, the HOA has the approval authority and we'd like to work with you, not against you. This is in spite of the fact you haven't paid a single dollar in dues for multiple years, tried to sidestep our authority with the BZA and DCRA and finally claimed ownership of "5912 9th St NW (Square 2986, Lot 25)" in the BZA application which is not true. The HOA owns the building/property. The DCOZ Application requirements [here](#) are clear in defining the owner, "The **owner of property** for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning." (Subtitle Y § 300.4.)"

It is inappropriate for you to insinuate that the two LLCs aren't backed by the same person and mislead DCRA and BZA as owners of "5912 9th St NW (Square 2986, Lot 25)" in your filings. Furthermore, please do not label fair ask as extortion. And finally if you're going to claim all of this, please at least pay a single dollar in HOA dues first.

I know you're a **big lawyer and financier** and we're small first time homeowners but we're playing fair and firm. I hope you'll join us.

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>

Wed, Jul 13, 2022 at 8:27 PM

To: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Mr. Carballo,

Please include me on all correspondence with the ANC as owners of the building and representative of the HOA.

[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>

Wed, Jul 13, 2022 at 8:29 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Mr. Hassan—please send me a copy of the report(s) you referenced in your e-mail earlier today. Thank you.

Sent from my iPhone

On Jul 13, 2022, at 8:27 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

[Quoted text hidden]

Contacts

Get in Touch with 1 Principals*

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STEVEN SNIDER
President

[See All Contacts](#)

Santorini Capital LLC

License History

Licensee Name	Agent Name	Address	Billing Address	License Category	License Category Code	License Issue Date	License End Date
SC PEABODY LLC	STEVEN S. SNIDER	521 Peabody St Nw, Washington, DC 20011	1928 BENNING ROAD N. WASHINGTON DC 20002	Apartment	5001	2022-01-12	2022-01-31

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2 attachments

Contacts

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STEVEN SNIDER
 President

See All Contacts >

image001.jpg
 8K

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SC PEABODY LLC	STEVEN S. SNIDER	521 Peabody St Nw, Washington, DC 20011	1928 BENNING ROAD N. WASHINGTON DC 20002	Apartment	5001	2022-01-12	2022-01-31

image004.jpg
 9K

Mohammad Hassan <hassan9291@gmail.com>

Wed, Jul 13, 2022 at 8:37 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>, Adam Carballo <adam@carballoarch.com>

Cc: Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Mr. Snider,

Please pay the outstanding HOA dues. The first time we sent over an email to you requesting them was on **Tuesday, May 4, 2021 at 9:03 AM**. We'll begin assessing late fees at the end of this month for every subsequent month until payment is made.

When I spoke to you this morning, you asked me, "When is the hearing? Has it happened already?" and I let you know it was today and that I wouldn't be able to attend due to work commitments. Imagine my surprise to hear you on the YouTube recording of the hearing and your assertions .

I look forward to your payment and a more collaborative relationship going forward.

Best,

-Mohammad

[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>

Wed, Jul 13, 2022 at 9:06 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Mr. Hassan—since you have raised structural issues, I would appreciate your sending me a copy of the reports you referenced during our call earlier today. The title holder of Unit 5 needs to assess these issues and address the appropriate party or parties to pursue to have any legitimate issues rectified. I understand your position regarding the HOA dues but am unable to imagine your surprise. Like you, however, I look forward to a collaborative relationship going forward. Regards. Steve

Sent from my iPad

On Jul 13, 2022, at 8:38 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

[Quoted text hidden]

2 attachments

Contacts

Get in Touch with 1 Principal?
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STEVEN SNIDER
President

See All Contacts in

image001.jpg
8K

License History

License Name	Agent Name	Address	Billing Address	License Category	License Category Code	License Issue Date	License End Date
DC PERMIDY LLC	STEVEN S. SNIDER	1217 Potomac Dr NW Washington, DC 20001	1000 NEWARK ROAD N.E. WASHINGTON DC 20002	Apartment	8001	2022-01-12	2023-01-12

image004.jpg
9K

Mohammad Hassan <hassan9291@gmail.com>

Wed, Jul 13, 2022 at 9:38 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Mr. Snider,

I also raised the issues of HOA dues and since you agreed that "the New Owner understands its obligation to pay HOA dues." It make sense to deal with interests where both parties are agreed on responsibility.

It'll go a long way in an action oriented way in demonstrating your commitment to a collaborative relationship. Since you're having difficulty imaging my surprise, let me say it bluntly. My intention in working with you was to negotiate a win-win that balances the impact on all parties. Since you've played hardball and made some serious accusations, let's just start where we both agree, which is that you owe **\$6,846.00** in dues wherein the HOA has kindly waived penalties until the end of the month.

You went behind the HOAs back, falsified statements of ownership in your BZA filing, asserted your legal muscle claiming 'extortion' on the HOAs behalf, made it about 'money' at the BZA hearing, yet refuse to pay dues that you agree you owe. I'm sure you can see the surprise and irony in all of that. Now that BZA agrees with the HOAs ownership stance, you want us to share our resources with no skin-in-the-game from you? No thank you. You changed the rules and we have to adapt.

So in the spirit of working collaboratively which we both said you also wanted, I would appreciate that you paid the dues.

I look forward to our renewed and collaborative relationship rooted in actionable signs of collaboration.

[Quoted text hidden]

Delaine Englebert <denglebert1@outlook.com>
To: Mohammad Hassan <hassan9291@gmail.com>

Wed, Jul 13, 2022 at 10:39 PM

Mohammad,

Just thinking about the BZA comments. But If there is no legitimate 5th unit or if BZA does not grant the use of this unit, will you have to refund the HOA fees? Maybe comment to him that the HOA dues will be paid into escrow as an act of good faith. That way he does not feel like he has no options. Also, have you ever received any of the settlement docs from the first owner of that unit? They did not mention that the 5th unit had been sold once already and was bought back because of the CO.

Just my thoughts.

Delaine

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>
To: Delaine Englebert <denglebert1@outlook.com>

Thu, Jul 14, 2022 at 8:02 AM

Thanks Delaine. I appreciate your thoughts and good callout on suggesting escrow!

The first owner never truly became an owner. She was staying there while CofO was being worked out and ultimately never settled.

Broadly what are your thoughts on my engagement with Mr. Snider? Should I change tact? Try something else?

Best,

-Mohammad

[Quoted text hidden]

Delaine Englebert <denglebert1@outlook.com>
To: Mohammad Hassan <hassan9291@gmail.com>

Thu, Jul 14, 2022 at 8:14 AM

Stay on him.

Sent from Cellular phone

On Jul 14, 2022, at 8:02 AM, Mohammad Hassan <hassan9291@gmail.com> wrote:

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

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[Quoted text hidden]

2 attachments

Contacts

Get in Touch with 1 Principals*

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President[See All Contacts \(1\)](#)image001.jpg
8K

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image002.jpg
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Mohammad Hassan <hassan9291@gmail.com>
To: Delaine Englebert <denglebert1@outlook.com>

Thu, Jul 14, 2022 at 8:45 AM

On it. Thank you!

Best,
-Mohammad
[Quoted text hidden]

2 attachments

Contacts

Get in Touch with 1 Principals*

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President[See All Contacts \(1\)](#)image001.jpg
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image002.jpg
9K

Steven Snider <Steven.Snider@sniderweinstein.com>

Thu, Aug 18, 2022 at 5:37 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

The owner of Unit 5 is in a position to pay ½ of the Unit 5 HOA fees at this time. Thereafter, we would like you to present your list, backed up by a third party professional report that I understand you have, identifying any structural issues of concern with respect to Unit 5. Once we agree on what issues might be addressed by the Unit 5 owner, the balance of the dues would be paid subject to

your cooperating in the upcoming BZA hearing to enable the Unit 5 owner to obtain approvals requested from the BZA. I await your thoughts.

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>

Wed, Aug 24, 2022 at 6:02 PM

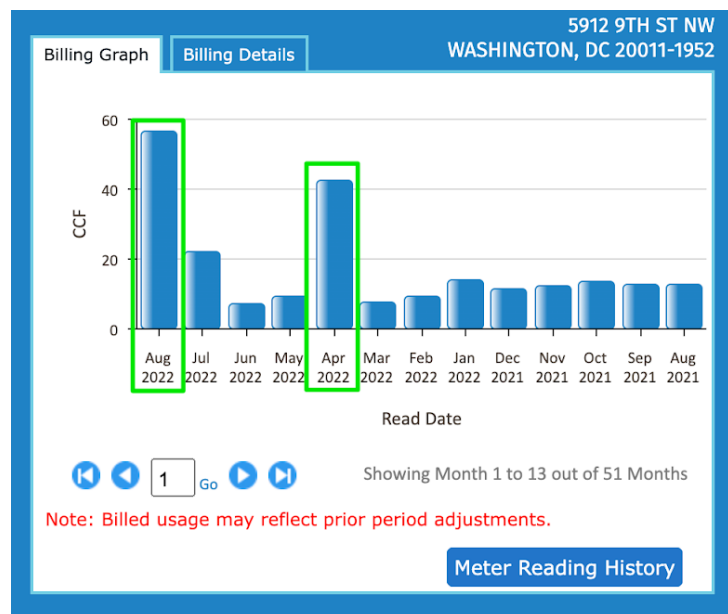
To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

The Condo Association appreciates the offer and it is a reasonable one. We agree to accept ½ the owed condo dues and in good faith will share our reports in exchange.

What principle or guiding method will we use to determine the issues that "might be addressed by the Unit 5 owner"? We also anticipate known unknowns. For instance the HOA has recently had unknown leaks wherein DC water usage skyrocketed. The cost here was ~\$900.

DC water does not reimburse in these cases unless we can prove it is a misreading by hiring a third party professional to do a top-down inspection. We believe these to be systemic issues as we've had multiple other such leaks since purchase:



We haven't yet had the funds to have an expert do said top-down inspection. Many defects such as these are pre-existing.

Do we have agreement from Unit 5 owner to fairly split the costs for additional third-party professionals to further ascertain the depth of issues?

I await your response.

[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>
To: Mohammad Hassan <hassan9291@gmail.com>

Thu, Aug 25, 2022 at 5:45 PM

Mohammad—please send me the condo dues invoice? Is Unit 5's portion based upon an allocation of its actual square feet?

[Quoted text hidden]


Mohammad Hassan <hassan9291@gmail.com>
To: Steven Snider <Steven.Snider@sniderweinstein.com>

Mon, Aug 29, 2022 at 8:00 AM

Mr. Snider,

The condo dues invoice is attached. The dues are fixed-price with equal interest at \$250/month for each unit.

[Quoted text hidden]

 **Invoice_3_2022-02-01 (1).pdf**
22K

Steven Snider <Steven.Snider@sniderweinstein.com>
To: Mohammad Hassan <hassan9291@gmail.com>

Mon, Aug 29, 2022 at 4:53 PM

Mohammad—assuming you're in agreement with the below, I will send you a check for \$3,548:

1. Immediately following receipt of the check, you will e-mail me reports that you referred to in prior e-mails.
2. You will cooperate with the Unit 5 owner in seeking BZA approval of its pending case. Cooperation shall include signing whatever letters or documents are required to support obtaining such approval.
3. We will work together to figure out what issues exist with respect to Unit 5 that may be affecting other parts of the building and, based upon such review, address how to fairly allocate costs to rectify the issue(s).
4. The Unit 5 owner will pay the balance of the condo fees when Unit 5 is sold without any late fees.

Please confirm the foregoing and I will send the check. Thanks, Mohammad.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Monday, August 29, 2022 8:00 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Mr. Snider,

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Error! Filename not specified.

[Santorini Capital LLC](#)

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>
To: Jamie Lee <jelee533@gmail.com>

Mon, Sep 19, 2022 at 8:24 PM

Thoughts? Both content/proposal and language, grammar and tone?

Thank you!

-Mohammad

Steven – the HOA has a revised agreement.

1. Immediately following the successful deposit of the check in the amount of \$3,548 to the HOAs account, the HOA will e-mail Mr. Steven Snider the HOA reports reflecting the issues at the property.
2. The HOA will cooperate with Unit 5 owner, Mr. Steven Snider in seeking BZA approval of its pending case. Cooperation shall include adequate consideration of all requests for signatures:
 - a. HOA will consider the letters that Unit 5 owner, Steven Snider requests sign-off on and weigh that against the HOA needs seeking to collaborate and find common ground in good faith towards the end of getting BZA relief.
3. Unit 5 owner will begin making monthly payments for the HOA dues the subsequent month after this agreement is made, while paying existing overdue payments after successfully navigating BZA and DCRA to obtain a new CofO (Note: this would be before selling as you may know the prior owners obligations to pay dues are moot after sale)
4. If the Unit 5 owner does not continue to make monthly payments and breaches this agreement, this agreement is voided and late fees will be charged for all overdue payments.

Please confirm the foregoing and we are prepared to move forward. Thanks, Steven.

[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>

Wed, Sep 21, 2022 at 4:12 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Mohammad—I hope this e-mail finds you well. For almost one month, I have not received a response from you to my e-mail of August 29, 2022. See below. I believe it reflects, with certain clarifications, the offer you stated was reasonable in your e-mail to me of August 24, 2022. See below. Can I expect to hear from you shortly? Kind regards. Steve

[Quoted text hidden]

Mohammad Hassan <hassan9291@gmail.com>

Wed, Sep 21, 2022 at 4:58 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

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1. Immediately following the successful deposit of the check in the amount of \$3,548 to the HOAs account, the HOA will e-mail Mr. Steven Snider the HOA reports reflecting the issues at the property.
2. The HOA will cooperate with Unit 5 owner, Mr. Steven Snider in seeking BZA approval of its pending case. Cooperation shall include adequate consideration of all requests for signatures:
 - a. HOA will consider the letters that Unit 5 owner, Steven Snider requests sign-off on and weigh that against the HOA needs (i.e. structural soundness, pre-existing issues, etc.) seeking to collaborate and find common ground in good faith.
 - b. If Unit 5 owner, does not seek common ground in good faith this agreement is voided.
3. Unit 5 owner will begin making monthly payments for the HOA dues the subsequent month after this agreement is made, while paying existing overdue payments after successfully navigating BZA and DCRA to obtain a new CoFo (Note: this would be before selling as you may know the prior owners obligations to pay dues are moot after sale)
4. If the Unit 5 owner does not continue to make monthly payments and breaches this agreement, this agreement is voided.

Please confirm the foregoing and we are prepared to move forward. Thanks, Steven.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, September 21, 2022 at 4:12 PM

To: 'Mohammad Hassan' <hassan9291@gmail.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>, 'Mike Kuehn' <mike@mkuehn.com>, 'Hannah Breedlove' <hannah@carballoarch.com>, 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>, 'Delaine Englebert' <denglebert1@outlook.com>, 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>, 'rohan.reid@dc.gov' <rohan.reid@dc.gov>, 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>, 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

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Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

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From: Steven Snider

Sent: Monday, August 29, 2022 4:53 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Subject: RE: 5912 9th St NW

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1. Immediately following receipt of the check, you will e-mail me reports that you referred to in prior e-mails.
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3. We will work together to figure out what issues exist with respect to Unit 5 that may be affecting other parts of the building and, based upon such review, address how to fairly allocate costs to rectify the issue(s).
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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Monday, August 29, 2022 8:00 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Mr. Snider,

The condo dues invoice is attached. The dues are fixed-price with equal interest at \$250/month for each unit.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Thursday, August 25, 2022 at 5:48 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: 5912 9th St NW

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Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, August 24, 2022 6:03 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipp@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

The Condo Association appreciates the offer and it is a reasonable one. We agree to accept ½ the owed condo dues and in good faith will share our reports in exchange.

What principle or guiding method will we use to determine the issues that "might be addressed by the Unit 5 owner"? We also anticipate known unknowns. For instance the HOA has recently had unknown leaks wherein DC water usage skyrocketed. The cost here was ~\$900.

DC water does not reimburse in these cases unless we can prove it is a misreading by hiring a third party professional to do a top-down inspection. We believe these to be systemic issues as we've had multiple other such leaks since purchase:

[REDACTED]

We haven't yet had the funds to have an expert do said top-down inspection. Many defects such as these are pre-existing.

Do we have agreement from Unit 5 owner to fairly split the costs for additional third-party professionals to further ascertain the depth of issues?

I await your response.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Thursday, August 18, 2022 at 5:38 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

The owner of Unit 5 is in a position to pay ½ of the Unit 5 HOA fees at this time. Thereafter, we would like you to present your list, backed up by a third party professional report that I understand you have, identifying any structural issues of concern with respect to Unit 5. Once we agree on what issues might be addressed by the Unit 5 owner, the balance of the dues would be paid subject to your cooperating in the upcoming BZA hearing to enable the Unit 5 owner to obtain approvals requested from the BZA. I await your thoughts.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 9:38 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

I also raised the issues of HOA dues and since you agreed that "the New Owner understands its obligation to pay HOA dues." It make sense to deal with interests where both parties are agreed on responsibility.

It'll go a long way in an action oriented way in demonstrating your commitment to a collaborative relationship. Since you're having difficulty imaging my surprise, let me say it bluntly. My intention in working with you was to negotiate a win-win that balances the impact on all parties. Since you've played hardball and made some serious accusations, let's just start where we both agree, which is that you owe **\$6,846.00** in dues wherein the HOA has kindly waived penalties until the end of the month.

You went behind the HOAs back, falsified statements of ownership in your BZA filing, asserted your legal muscle claiming 'extortion' on the HOAs behalf, made it about 'money' at the BZA hearing, yet refuse to pay dues that you agree you owe. I'm sure you can see the surprise and irony in all of that. Now that BZA agrees with the HOAs ownership stance, you want us to share our resources with no skin-in-the-game from you? No thank you. You changed the rules and we have to adapt.

So in the spirit of working collaboratively which we both said you also wanted, I would appreciate that you paid the dues.

I look forward to our renewed and collaborative relationship rooted in actionable signs of collaboration.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 9:06 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—since you have raised structural issues, I would appreciate your sending me a copy of the reports you referenced during our call earlier today. The title holder of Unit 5 needs to assess these issues and address the appropriate party or parties to pursue to have any legitimate issues rectified. I understand your position regarding the HOA dues but am unable to imagine your surprise. Like you, however, I look forward to a collaborative relationship going forward. Regards. Steve

Sent from my iPad

On Jul 13, 2022, at 8:38 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Snider,

Please pay the outstanding HOA dues. The first time we sent over an email to you requesting them was on **Tuesday, May 4, 2021 at 9:03 AM**. We'll begin assessing late fees at the end of this month for every subsequent month until payment is made.

When I spoke to you this morning, you asked me, "When is the hearing? Has it happened already?" and I let you know it was today and that I wouldn't be able to attend due to work commitments. Imagine my surprise to hear you on the YouTube recording of the hearing and your assertions .

I look forward to your payment and a more collaborative relationship going forward.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 8:29 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—please send me a copy of the report(s) you referenced in your e-mail earlier today. Thank you.

Sent from my iPhone

On Jul 13, 2022, at 8:27 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Carballo,

Please include me on all correspondence with the ANC as owners of the building and representative of the HOA.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Wednesday, July 13, 2022 at 6:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

No, the HOA is saying the following: The issues with the structure are due to the load bearing nature of Unit 5 which you knowingly bought into and we ask you to fix or pay for the fix so the building is safe and sound for us and the future owner you'll eventually sell to.

Alternatively, maybe you can just tear it down? That would be just as good from our perspective but likely not yours. Are you willing to do this?

I didn't hear from you on when you'll pay dues? They've been outstanding for years.

In any case, as I stated, the HOA has the approval authority and we'd like to work with you, not against you. This is in spite of the fact you haven't paid a single dollar in dues for multiple years, tried to sidestep our authority with the BZA and DCRA and finally claimed ownership of "5912 9th St NW (Square 2986, Lot 25)" in the BZA application which is not true. The HOA owns the building/property. The DCOZ Application requirements [here](#) are clear in defining the owner, "The **owner of property** for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning." (Subtitle Y § 300.4.)"

It is inappropriate for you to insinuate that the two LLCs aren't backed by the same person and mislead DCRA and BZA as owners of "5912 9th St NW (Square 2986, Lot 25)" in your filings. Furthermore, please do not label fair ask as extortion. And finally if you're going to claim all of this, please at least pay a single dollar in HOA dues first.

I know you're a [big lawyer and financier](#) and we're small first time homeowners but we're playing fair and firm. I hope you'll join us.

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 5:46 PM
To: Mohammad Hassan <hassan9291@gmail.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipp@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: RE: 5912 9th St NW

They key part of your e-mail is:

"Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now."

HOA is basically saying that we need its approval to obtain BZA approval and a CofO. The cost of such approval is that the Unit 5 owner pay for "current and future issues and/or pay our contractors to fix the issues now." I abhor extortion. Santorini was the lender. SC Holdings Peabody LLC was the purchaser at a foreclosure initiated by Santorini. Neither is a Developer. It is not appropriate for you to demand that Santorini or SC Holdings Peabody LLC assume the Developer's responsibility to obtain HOA approval.

Steven S. Snider, Esq.

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Washington, D.C. 20036

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 5:25 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Adam Carballo <adam@carballoarch.com>

Cc: Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

Thanks for your response.

1. When can the HOA expect payment for the unpaid HOA dues?
2. You still need HOA approval to receive BZA relief and/or an updated CofO. Please share your written request to the HOA to evaluate. DCRA cannot provide an updated CofO until the HOA approves. We're the majority owners of "5912 9th St NW (Square 2986, Lot 25)", not "SC Holdings Peabody, LLC"

While I appreciate that you're also in a unfortunate situation. You worked with Tom/Mick ("the developer") and financed the original project. Furthermore, Santorini Capital and SC Holdings Peabody, LLC knowingly bought the property at foreclosure for 251K and assumed risks. This was after the HOA had raised issues to DCRA about unauthorized permitting. This was public information as DCRA had a stop work order on the building. Regardless of knowledge or lack thereof, the HOA holds majority ownership and you will need our approval to make this unit legal which comes with our fair and balanced terms. In the meantime, we'll protect our investment in the building and the future owner of the property.

Finally, I find the use of "New Owner" is misleading. This was a clever paper change. You're the contact and President for both LLCs (SC Holdings Peabody LLC and Santorini Capital), therefore ownership changed in the LLC sense but not in a way that is materially important for the HOAs stance:

Error! Filename not specified.

[Santorini Capital LLC](#)

SC Peabody LLC

Hopefully we're able to find middle ground and this would be something that is in everyone's best interest. Until then –

Mr. Legrant, Mr. Rohan Reid, Ms. Bardin – The HOA is opposed to an updated CofO and BZA relief until we can finish negotiations with Mr. Snider and receive unpaid HOA dues and strike a bargain for the structural and construction defects to the building. These are issues that a DCRA inspector should/would find in the process of approving any change to permits anyways. The reports have been shared with DCRA and BZA already.

Best,

-Mohammad

(240) 482-6127

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 4:28 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, Mike Kuehn <mike@mkuehn.com>, Adam Carballo <adam@carballoarch.com>, Hannah Breedlove <hannah@carballoarch.com>
Subject: RE: 5912 9th St NW

Mr. Hassan—thank you for your e-mail. I appreciate your call earlier today and the opportunity to substantively discuss the 9th Street matter after trying to reach you by e-mail and phone numerous times over the past several weeks. As you know, Santorini Capital was the lender that financed the purchase and renovation of the property located at 5912 9th St NW (the “Property” or “Building”). Santorini was **not** the developer that bought the Building and performed the renovation (the “Developer”). Santorini funded the loan, and the Developer completed the renovation, sold four units and was seeking a Certificate of Occupancy for a fifth unit when DCRA issued a letter that the Developer did not have the necessary permits to build a fifth unit in the Building. Following numerous defaults by the Developer, Santorini foreclosed on its first trust lien on the Property (which, at that point, after the sale of four units, was a lien on Unit 5 only), and Unit 5 was acquired at the foreclosure sale by SC Holdings Peabody LLC (the “New Owner”). Neither Santorini nor the New Owner developed or renovated the Property. The New Owner understands its obligation to pay HOA dues. However, it is not liable for nor willing to pay amounts required to address “structural and other major issues with the building.” I understand that you did not anticipate these issues as first time homeowners. Similarly, Santorini and the New Owner did not anticipate these issues as a lender or foreclosure purchaser, respectively. The problems were caused by the Developer. We believe it is in the HOA's best interest to put “on line” an additional Unit owner that will pay HOA dues to address condominium issues that have identified. And, I believe, we should seek redress from the Developer responsible for creating the unfortunate situation in which we both find ourselves. We look forward to working with you and hope you will support the BZA filing that has been made. Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 3:37 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>

Cc: Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

As a recap to our conversations, we discussed:

- Unpaid HOA Dues; please find attached. There is an overdue amount of **\$6,846.00** (inclusive of upcoming August payment). This can be cause for the [HOA to place a lien](#), an option we rather not exercise. As a gesture of good will, we've also waived any and all late fees.
- Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now.

We recognize it's in your best interest to have HOA approval for BZA Zoning relief and DCRA CofO review. As majority owners of the building, any permit or CofO changes require HOA approval. A bargain can be struck where we support you in remediating current issues while also protecting against the risk of future issues due to poor construction.

As first time homeowners, we did not anticipate the number of issues we've faced and we're at a point, where we're willing to work with you, BZA, DCRA to reach a mutually beneficial agreement that meets all parties interests.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Monday, June 27, 2022 at 8:41 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Steven,

Are you available to talk tomorrow at 9am or 2pm? I can give you a call then.

Best,

-Mohammad

On Jun 20, 2022, 5:22 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Thank you.

Sent from my iPhone

On Jun 20, 2022, at 5:21 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,

-Mohammad

On Jun 20, 2022, 5:14 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Thursday, June 16, 2022 1:40 PM
To: hassan9291@gmail.com
Subject: 5912 9th St NW

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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Jamie Lee <jelee533@gmail.com>
To: Mohammad Hassan <hassan9291@gmail.com>

Sat, Sep 24, 2022 at 11:27 AM

Sorry, I think you sent this already! Next time feel free to send to my Capital One or text me! Looks clear and to the point -- nice job numbering it out.

--

Jamie Lee
JELee533@gmail.com
(240) 643-9411

[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>

Fri, Sep 30, 2022 at 11:56 AM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Confirmed. Please forward the HOA's wire instructions. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, September 21, 2022 4:58 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>;

'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>
Subject: Re: [5912 9th St NW](#)

Steven – the HOA has a revised agreement.

1. Immediately following the successful deposit of the check in the amount of \$3,548 to the HOAs account, the HOA will e-mail Mr. Steven Snider the HOA reports reflecting the issues at the property.
2. The HOA will cooperate with Unit 5 owner, Mr. Steven Snider in seeking BZA approval of its pending case. Cooperation shall include adequate consideration of all requests for signatures:
 - a. HOA will consider the letters that Unit 5 owner, Steven Snider requests sign-off on and weigh that against the HOA needs (i.e. structural soundness, pre-existing issues, etc.) seeking to collaborate and find common ground in good faith.
 - b. If Unit 5 owner, does not seek common ground in good faith this agreement is voided.
3. Unit 5 owner will begin making monthly payments for the HOA dues the subsequent month after this agreement is made, while paying existing overdue payments after successfully navigating BZA and DCRA to obtain a new CofO (Note: this would be before selling as you may know the prior owners obligations to pay dues are moot after sale)
4. If the Unit 5 owner does not continue to make monthly payments and breaches this agreement, this agreement is voided.

Please confirm the foregoing and we are prepared to move forward. Thanks, Steven.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, September 21, 2022 at 4:12 PM

To: 'Mohammad Hassan' <hassan9291@gmail.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>, 'Mike Kuehn' <mike@mkuehn.com>, 'Hannah Breedlove' <hannah@carballoarch.com>, 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>, 'Delaine Englebert' <denglebert1@outlook.com>, 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>, 'rohan.reid@dc.gov' <rohan.reid@dc.gov>, 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>, 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: RE: [5912 9th St NW](#)

Mohammad—I hope this e-mail finds you well. For almost one month, I have not received a response from you to my e-mail of August 29, 2022. See below. I believe it reflects, with certain clarifications, the offer you stated was reasonable in your e-mail to me of August 24, 2022. See below. Can I expect to hear from you shortly? Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Monday, August 29, 2022 4:53 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: [5912 9th St NW](#)

Mohammad—assuming you're in agreement with the below, I will send you a check for \$3,548:

1. Immediately following receipt of the check, you will e-mail me reports that you referred to in prior e-mails.
2. You will cooperate with the Unit 5 owner in seeking BZA approval of its pending case. Cooperation shall include signing whatever letters or documents are required to support obtaining such approval.
3. We will work together to figure out what issues exist with respect to Unit 5 that may be affecting other parts of the building and, based upon such review, address how to fairly allocate costs to rectify the issue(s).
4. The Unit 5 owner will pay the balance of the condo fees when Unit 5 is sold without any late fees.

Please confirm the foregoing and I will send the check. Thanks, Mohammad.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

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steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Monday, August 29, 2022 8:00 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Mr. Snider,

The condo dues invoice is attached. The dues are fixed-price with equal interest at \$250/month for each unit.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Thursday, August 25, 2022 at 5:48 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: 5912 9th St NW

Mohammad—please send me the condo dues invoice? Is Unit 5's portion based upon an allocation of its actual square feet?

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

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steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, August 24, 2022 6:03 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

The Condo Association appreciates the offer and it is a reasonable one. We agree to accept ½ the owed condo dues and in good faith will share our reports in exchange.

What principle or guiding method will we use to determine the issues that “might be addressed by the Unit 5 owner”? We also anticipate known unknowns. For instance the HOA has recently had unknown leaks wherein DC water usage skyrocketed. The cost here was ~\$900.

DC water does not reimburse in these cases unless we can prove it is a misreading by hiring a third party professional to do a top-down inspection. We believe these to be systemic issues as we’ve had multiple other such leaks since purchase:

[REDACTED]

We haven’t yet had the funds to have an expert do said top-down inspection. Many defects such as these are pre-existing.

Do we have agreement from Unit 5 owner to fairly split the costs for additional third-party professionals to further ascertain the depth of issues?

I await your response.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Thursday, August 18, 2022 at 5:38 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

The owner of Unit 5 is in a position to pay ½ of the Unit 5 HOA fees at this time. Thereafter, we would like you to present your list, backed up by a third party professional report that I understand you have, identifying any structural issues of concern with respect to Unit 5. Once we agree on what issues might be addressed by the Unit 5 owner, the balance of the dues would be paid subject to your cooperating in the upcoming BZA hearing to enable the Unit 5 owner to obtain approvals requested from the BZA. I await your thoughts.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, July 13, 2022 9:38 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: Re: 5912 9th St NW

Mr. Snider,

I also raised the issues of HOA dues and since you agreed that “the New Owner understands its obligation to pay HOA dues.” It make sense to deal with interests where both parties are agreed on responsibility.

It'll go a long way in an action oriented way in demonstrating your commitment to a collaborative relationship. Since you're having difficulty imaging my surprise, let me say it bluntly. My intention in working with you was to negotiate a win-win that balances the impact on all parties. Since you've played hardball and made some serious accusations, let's just start where we both agree, which is that you owe **\$6,846.00** in dues wherein the HOA has kindly waived penalties until the end of the month.

You went behind the HOAs back, falsified statements of ownership in your BZA filing, asserted your legal muscle claiming 'extortion' on the HOAs behalf, made it about 'money' at the BZA hearing, yet refuse to pay dues that you agree you owe. I'm sure you can see the surprise and irony in all of that. Now that BZA agrees with the HOAs ownership stance, you want us to share our resources with no skin-in-the-game from you? No thank you. You changed the rules and we have to adapt.

So in the spirit of working collaboratively which we both said you also wanted, I would appreciate that you paid the dues.

I look forward to our renewed and collaborative relationship rooted in actionable signs of collaboration.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 9:06 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: Re: 5912 9th St NW

Mr. Hassan—since you have raised structural issues, I would appreciate your sending me a copy of the reports you referenced during our call earlier today. The title holder of Unit 5 needs to assess these issues and address the appropriate party or parties to pursue to have any legitimate issues rectified. I understand your position regarding the HOA dues but am unable to imagine your surprise. Like you, however, I look forward to a collaborative relationship going forward. Regards. Steve

Sent from my iPad

On Jul 13, 2022, at 8:38 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Snider,

Please pay the outstanding HOA dues. The first time we sent over an email to you requesting them was on **Tuesday, May 4, 2021 at 9:03 AM**. We'll begin assessing late fees at the end of this month for every subsequent month until payment is made.

When I spoke to you this morning, you asked me, "When is the hearing? Has it happened already?" and I let you know it was today and that I wouldn't be able to attend due to work commitments. Imagine my surprise to hear you on the YouTube recording of the hearing and your assertions .

I look forward to your payment and a more collaborative relationship going forward.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 8:29 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—please send me a copy of the report(s) you referenced in your e-mail earlier today. Thank you.

Sent from my iPhone

On Jul 13, 2022, at 8:27 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Carballo,

Please include me on all correspondence with the ANC as owners of the building and representative of the HOA.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Wednesday, July 13, 2022 at 6:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

No, the HOA is saying the following: The issues with the structure are due to the load bearing nature of Unit 5 which you knowingly bought into and we ask you to fix or pay for the fix so the building is safe and sound for us and the future owner you'll eventually sell to.

Alternatively, maybe you can just tear it down? That would be just as good from our perspective but likely not yours. Are you willing to do this?

I didn't hear from you on when you'll pay dues? They've been outstanding for years.

In any case, as I stated, the HOA has the approval authority and we'd like to work with you, not against you. This is in spite of the fact you haven't paid a single dollar in dues for multiple years, tried to sidestep our authority with the BZA and DCRA and finally claimed ownership of "5912 9th St NW (Square 2986, Lot 25)" in the BZA application which is not true. The HOA owns the building/property. The DCOZ Application requirements [here](#) are clear in defining the owner, "The owner of property for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning." (Subtitle Y § 300.4.)"

It is inappropriate for you to insinuate that the two LLCs aren't backed by the same person and mislead DCRA and BZA as owners of "5912 9th St NW (Square 2986, Lot 25)" in your filings. Furthermore, please do not label fair ask as extortion. And finally if you're going to claim all of this, please at least pay a single dollar in HOA dues first.

I know you're a [big lawyer and financier](#) and we're small first time homeowners but we're playing fair and firm. I hope you'll join us.

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 5:46 PM
To: Mohammad Hassan <hassan9291@gmail.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: RE: 5912 9th St NW

They key part of your e-mail is:

"Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now."

HOA is basically saying that we need its approval to obtain BZA approval and a CofO. The cost of such approval is that the Unit 5 owner pay for "current and future issues and/or pay our contractors to fix the issues now." I abhor extortion. Santorini was the lender. SC Holdings Peabody LLC was the purchaser at a foreclosure initiated by Santorini. Neither is a Developer. It is not appropriate for you to demand that Santorini or SC Holdings Peabody LLC assume the Developer's responsibility to obtain HOA approval.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 5:25 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Adam Carballo <adam@carballoarch.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.leggrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Subject: Re: [5912 9th St NW](#)

Mr. Snider,

Thanks for your response.

1. When can the HOA expect payment for the unpaid HOA dues?
2. You still need HOA approval to receive BZA relief and/or an updated CofO. Please share your written request to the HOA to evaluate. DCRA cannot provide an updated CofO until the HOA approves. We're the majority owners of "[5912 9th St NW](#) (Square 2986, Lot 25)", not "SC Holdings Peabody, LLC"

While I appreciate that you're also in a unfortunate situation. You worked with Tom/Mick ("the developer") and financed the original project. Furthermore, Santorini Capital and SC Holdings Peabody, LLC knowingly bought the property at foreclosure for 251K and assumed risks. This was after the HOA had raised issues to DCRA about unauthorized permitting. This was public information as DCRA had a stop work order on the building. Regardless of knowledge or lack thereof, the HOA holds majority ownership and you will need our approval to make this unit legal which comes with our fair and balanced terms. In the meantime, we'll protect our investment in the building and the future owner of the property.

Finally, I find the use of "New Owner" is misleading. This was a clever paper change. You're the contact and President for both LLCs (SC Holdings Peabody LLC and Santorini Capital), therefore ownership changed in the LLC sense but not in a way that is materially important for the HOAs stance:

Error! Filename not specified.

[Santorini Capital LLC](#)

[Redacted signature block]

[SC Peabody LLC](#)

Hopefully we're able to find middle ground and this would be something that is in everyone's best interest. Until then –

Mr. Legrant, Mr. Rohan Reid, Ms. Bardin – The HOA is opposed to an updated CofO and BZA relief until we can finish negotiations with Mr. Snider and receive unpaid HOA dues and strike a bargain for the structural and construction defects to the building. These are issues that a DCRA inspector should/would find in the process of approving any change to permits anyways. The reports have been shared with DCRA and BZA already.

Best,

-Mohammad

(240) 482-6127

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 4:28 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, Mike Kuehn <mike@mkuehn.com>, Adam Carballo <adam@carballoarch.com>, Hannah Breedlove <hannah@carballoarch.com>
Subject: RE: 5912 9th St NW

Mr. Hassan—thank you for your e-mail. I appreciate your call earlier today and the opportunity to substantively discuss the 9th Street matter after trying to reach you by e-mail and phone numerous times over the past several weeks. As you know, Santorini Capital was the lender that financed the purchase and renovation of the property located at 5912 9th St NW (the “Property” or “Building”). Santorini was **not** the developer that bought the Building and performed the renovation (the “Developer”). Santorini funded the loan, and the Developer completed the renovation, sold four units and was seeking a Certificate of Occupancy for a fifth unit when DCRA issued a letter that the Developer did not have the necessary permits to build a fifth unit in the Building. Following numerous defaults by the Developer, Santorini foreclosed on its first trust lien on the Property (which, at that point, after the sale of four units, was a lien on Unit 5 only), and Unit 5 was acquired at the foreclosure sale by SC Holdings Peabody LLC (the “New Owner”). Neither Santorini nor the New Owner developed or renovated the Property. The New Owner understands its obligation to pay HOA dues. However, it is not liable for nor willing to pay amounts required to address “structural and other major issues with the building.” I understand that you did not anticipate these issues as first time homeowners. Similarly, Santorini and the New Owner did not anticipate these issues as a lender or foreclosure purchaser, respectively. The problems were caused by the Developer. We believe it is in the HOA's best interest to put “on line” an additional Unit owner that will pay HOA dues to address condominium issues that have identified. And, I believe, we should seek redress from the Developer responsible for creating the unfortunate situation in which we both find ourselves. We look forward to working with you and hope you will support the BZA filing that has been made. Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, July 13, 2022 3:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>
Cc: Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: [5912 9th St NW](#)

Mr. Snider,

As a recap to our conversations, we discussed:

- Unpaid HOA Dues; please find attached. There is an overdue amount of **\$6,846.00** (inclusive of upcoming August payment). This can be cause for the [HOA to place a lien](#), an option we rather not exercise. As a gesture of good will, we've also waived any and all late fees.
- Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now.

We recognize it's in your best interest to have HOA approval for BZA Zoning relief and DCRA CofO review. As majority owners of the building, any permit or CofO changes require HOA approval. A bargain can be struck where we support you in remediating current issues while also protecting against the risk of future issues due to poor construction.

As first time homeowners, we did not anticipate the number of issues we've faced and we're at a point, where we're willing to work with you, BZA, DCRA to reach a mutually beneficial agreement that meets all parties interests.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Monday, June 27, 2022 at 8:41 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: [5912 9th St NW](#)

Steven,

Are you available to talk tomorrow at 9am or 2pm? I can give you a call then.

Best,

-Mohammad

On Jun 20, 2022, 5:22 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Thank you.

Sent from my iPhone

On Jun 20, 2022, at 5:21 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,

-Mohammad

On Jun 20, 2022, 5:14 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Steven Snider
Sent: Thursday, June 16, 2022 1:40 PM
To: hassan9291@gmail.com
Subject: 5912 9th St NW

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

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Steven Snider <Steven.Snider@sniderweinstein.com>

Fri, Sep 30, 2022 at 12:24 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Please execute the attached and return to me by e-mail with a copy to all parties copied on this e-mail. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

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From: Steven Snider

Sent: Friday, September 30, 2022 11:57 AM

To: 'Mohammad Hassan' <hassan9291@gmail.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

Confirmed. Please forward the HOA's wire instructions. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, September 21, 2022 4:58 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Philipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>
Subject: Re: 5912 9th St NW

Steven – the HOA has a revised agreement.

1. Immediately following the successful deposit of the check in the amount of \$3,548 to the HOAs account, the HOA will e-mail Mr. Steven Snider the HOA reports reflecting the issues at the property.
2. The HOA will cooperate with Unit 5 owner, Mr. Steven Snider in seeking BZA approval of its pending case. Cooperation shall include adequate consideration of all requests for signatures:
 - a. HOA will consider the letters that Unit 5 owner, Steven Snider requests sign-off on and weigh that against the HOA needs (i.e. structural soundness, pre-existing issues, etc.) seeking to collaborate and find common ground in good faith.
 - b. If Unit 5 owner, does not seek common ground in good faith this agreement is voided.
3. Unit 5 owner will begin making monthly payments for the HOA dues the subsequent month after this agreement is made, while paying existing overdue payments after successfully navigating BZA and DCRA to obtain a new CoFO (Note: this would be before selling as you may know the prior owners obligations to pay dues are moot after sale)
4. If the Unit 5 owner does not continue to make monthly payments and breaches this agreement, this agreement is voided.

Please confirm the foregoing and we are prepared to move forward. Thanks, Steven.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, September 21, 2022 at 4:12 PM
To: 'Mohammad Hassan' <hassan9291@gmail.com>
Cc: 'Adam Carballo' <adam@carballoarch.com>, 'Mike Kuehn' <mike@mkuehn.com>, 'Hannah Breedlove' <hannah@carballoarch.com>, 'Philipps, Bradley' <Bradley.Philipps@katzmedia.com>, 'Delaine Englebert' <denglebert1@outlook.com>, 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>, 'rohan.reid@dc.gov' <rohan.reid@dc.gov>, 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>, 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

Mohammad—I hope this e-mail finds you well. For almost one month, I have not received a response from you to my e-mail of August 29, 2022. See below. I believe it reflects, with certain clarifications, the offer you stated was reasonable in your e-mail to me of August 24, 2022. See below. Can I expect to hear from you shortly? Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Monday, August 29, 2022 4:53 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: 5912 9th St NW

Mohammad—assuming you're in agreement with the below, I will send you a check for \$3,548:

1. Immediately following receipt of the check, you will e-mail me reports that you referred to in prior e-mails.
2. You will cooperate with the Unit 5 owner in seeking BZA approval of its pending case. Cooperation shall include signing whatever letters or documents are required to support obtaining such approval.
3. We will work together to figure out what issues exist with respect to Unit 5 that may be affecting other parts of the building and, based upon such review, address how to fairly allocate costs to rectify the issue(s).
4. The Unit 5 owner will pay the balance of the condo fees when Unit 5 is sold without any late fees.

Please confirm the foregoing and I will send the check. Thanks, Mohammad.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Monday, August 29, 2022 8:00 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: [5912 9th St NW](#)

Mr. Snider,

The condo dues invoice is attached. The dues are fixed-price with equal interest at \$250/month for each unit.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Thursday, August 25, 2022 at 5:48 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: [5912 9th St NW](#)

Mohammad—please send me the condo dues invoice? Is Unit 5's portion based upon an allocation of its actual square feet?

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, August 24, 2022 6:03 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

The Condo Association appreciates the offer and it is a reasonable one. We agree to accept ½ the owed condo dues and in good faith will share our reports in exchange.

What principle or guiding method will we use to determine the issues that "might be addressed by the Unit 5 owner"? We also anticipate known unknowns. For instance the HOA has recently had unknown leaks wherein DC water usage skyrocketed. The cost here was ~\$900.

DC water does not reimburse in these cases unless we can prove it is a misreading by hiring a third party professional to do a top-down inspection. We believe these to be systemic issues as we've had multiple other such leaks since purchase:

[REDACTED]

We haven't yet had the funds to have an expert do said top-down inspection. Many defects such as these are pre-existing.

Do we have agreement from Unit 5 owner to fairly split the costs for additional third-party professionals to further ascertain the depth of issues?

I await your response.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Thursday, August 18, 2022 at 5:38 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: [5912 9th St NW](#)

The owner of Unit 5 is in a position to pay ½ of the Unit 5 HOA fees at this time. Thereafter, we would like you to present your list, backed up by a third party professional report that I understand you have, identifying any structural issues of concern with respect to Unit 5. Once we agree on what issues might be addressed by the Unit 5 owner, the balance of the dues would be paid subject to your cooperating in the upcoming BZA hearing to enable the Unit 5 owner to obtain approvals requested from the BZA. I await your thoughts.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 9:38 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

I also raised the issues of HOA dues and since you agreed that "the New Owner understands its obligation to pay HOA dues." It make sense to deal with interests where both parties are agreed on responsibility.

It'll go a long way in an action oriented way in demonstrating your commitment to a collaborative relationship. Since you're having difficulty imaging my surprise, let me say it bluntly. My intention in working with you was to negotiate a win-win that balances the impact on all parties. Since you've played hardball and made some serious accusations, let's just start where we both agree, which is that you owe **\$6,846.00** in dues wherein the HOA has kindly waived penalties until the end of the month.

You went behind the HOAs back, falsified statements of ownership in your BZA filing, asserted your legal muscle claiming 'extortion' on the HOAs behalf, made it about 'money' at the BZA hearing, yet refuse to pay dues that you agree you owe. I'm sure you can see the surprise and irony in all of that. Now that BZA agrees with the HOAs ownership stance, you want us to share our resources with no skin-in-the-game from you? No thank you. You changed the rules and we have to adapt.

So in the spirit of working collaboratively which we both said you also wanted, I would appreciate that you paid the dues.

I look forward to our renewed and collaborative relationship rooted in actionable signs of collaboration.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 9:06 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—since you have raised structural issues, I would appreciate your sending me a copy of the reports you referenced during our call earlier today. The title holder of Unit 5 needs to assess these issues and address the appropriate party or parties to pursue to have any legitimate issues rectified. I understand your position regarding the HOA dues but am unable to imagine your surprise. Like you, however, I look forward to a collaborative relationship going forward. Regards. Steve

Sent from my iPad

On Jul 13, 2022, at 8:38 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Snider,

Please pay the outstanding HOA dues. The first time we sent over an email to you requesting them was on **Tuesday, May 4, 2021 at 9:03 AM**. We'll begin assessing late fees at the end of this month for every subsequent month until payment is made.

When I spoke to you this morning, you asked me, "When is the hearing? Has it happened already?" and I let you know it was today and that I wouldn't be able to attend due to work commitments. Imagine my surprise to hear you on the YouTube recording of the hearing and your assertions .

I look forward to your payment and a more collaborative relationship going forward.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 8:29 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—please send me a copy of the report(s) you referenced in your e-mail earlier today. Thank you.

Sent from my iPhone

On Jul 13, 2022, at 8:27 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Carballo,

Please include me on all correspondence with the ANC as owners of the building and representative of the HOA.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Wednesday, July 13, 2022 at 6:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

No, the HOA is saying the following: The issues with the structure are due to the load bearing nature of Unit 5 which you knowingly bought into and we ask you to fix or pay for the fix so the building is safe and sound for us and the future owner you'll eventually sell to.

Alternatively, maybe you can just tear it down? That would be just as good from our perspective but likely not yours. Are you willing to do this?

I didn't hear from you on when you'll pay dues? They've been outstanding for years.

In any case, as I stated, the HOA has the approval authority and we'd like to work with you, not against you. This is in spite of the fact you haven't paid a single dollar in dues for multiple years, tried to sidestep our authority with the BZA and DCRA and finally claimed ownership of "5912 9th St NW (Square 2986, Lot 25)" in the BZA application which is not true. The HOA owns the building/property. The DCOZ Application requirements [here](#) are clear in defining the owner, "The owner of property for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning." (Subtitle Y § 300.4.)"

It is inappropriate for you to insinuate that the two LLCs aren't backed by the same person and mislead DCRA and BZA as owners of "5912 9th St NW (Square 2986, Lot 25)" in your filings. Furthermore, please do not label fair ask as extortion. And finally if you're going to claim all of this, please at least pay a single dollar in HOA dues first.

I know you're a [big lawyer and financier](#) and we're small first time homeowners but we're playing fair and firm. I hope you'll join us.

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 5:46 PM
To: Mohammad Hassan <hassan9291@gmail.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: RE: 5912 9th St NW

They key part of your e-mail is:

"Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now."

HOA is basically saying that we need its approval to obtain BZA approval and a CofO. The cost of such approval is that the Unit 5 owner pay for "current and future issues and/or pay our contractors to fix the issues now." I abhor extortion. Santorini was the lender. SC Holdings Peabody LLC was the purchaser at a foreclosure initiated by Santorini. Neither is a Developer. It is not appropriate for you to demand that Santorini or SC Holdings Peabody LLC assume the Developer's responsibility to obtain HOA approval.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 5:25 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Adam Carballo <adam@carballoarch.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ)

<sara.bardin@dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

Thanks for your response.

1. When can the HOA expect payment for the unpaid HOA dues?
2. You still need HOA approval to receive BZA relief and/or an updated CofO. Please share your written request to the HOA to evaluate. DCRA cannot provide an updated CofO until the HOA approves. We're the majority owners of "5912 9th St NW (Square 2986, Lot 25)", not "SC Holdings Peabody, LLC"

While I appreciate that you're also in a unfortunate situation. You worked with Tom/Mick ("the developer") and financed the original project. Furthermore, Santorini Capital and SC Holdings Peabody, LLC knowingly bought the property at foreclosure for 251K and assumed risks. This was after the HOA had raised issues to DCRA about unauthorized permitting. This was public information as DCRA had a stop work order on the building. Regardless of knowledge or lack thereof, the HOA holds majority ownership and you will need our approval to make this unit legal which comes with our fair and balanced terms. In the meantime, we'll protect our investment in the building and the future owner of the property.

Finally, I find the use of "New Owner" is misleading. This was a clever paper change. You're the contact and President for both LLCs (SC Holdings Peabody LLC and Santorini Capital), therefore ownership changed in the LLC sense but not in a way that is materially important for the HOAs stance:

Error! Filename not specified.

[Santorini Capital LLC](#)

[Redacted signature block]

[SC Peabody LLC](#)

Hopefully we're able to find middle ground and this would be something that is in everyone's best interest. Until then –

Mr. Legrant, Mr. Rohan Reid, Ms. Bardin – The HOA is opposed to an updated CofO and BZA relief until we can finish negotiations with Mr. Snider and receive unpaid HOA dues and strike a bargain for the structural and construction defects to the building. These are issues that a DCRA inspector

should/would find in the process of approving any change to permits anyways. The reports have been shared with DCRA and BZA already.

Best,

-Mohammad

(240) 482-6127

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 4:28 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, Mike Kuehn <mike@mkuehn.com>, Adam Carballo <adam@carballoarch.com>, Hannah Breedlove <hannah@carballoarch.com>

Subject: RE: 5912 9th St NW

Mr. Hassan—thank you for your e-mail. I appreciate your call earlier today and the opportunity to substantively discuss the 9th Street matter after trying to reach you by e-mail and phone numerous times over the past several weeks. As you know, Santorini Capital was the lender that financed the purchase and renovation of the property located at 5912 9th St NW (the “Property” or “Building”). Santorini was **not** the developer that bought the Building and performed the renovation (the “Developer”). Santorini funded the loan, and the Developer completed the renovation, sold four units and was seeking a Certificate of Occupancy for a fifth unit when DCRA issued a letter that the Developer did not have the necessary permits to build a fifth unit in the Building. Following numerous defaults by the Developer, Santorini foreclosed on its first trust lien on the Property (which, at that point, after the sale of four units, was a lien on Unit 5 only), and Unit 5 was acquired at the foreclosure sale by SC Holdings Peabody LLC (the “New Owner”). Neither Santorini nor the New Owner developed or renovated the Property. The New Owner understands its obligation to pay HOA dues. However, it is not liable for nor willing to pay amounts required to address “structural and other major issues with the building.” I understand that you did not anticipate these issues as first time homeowners. Similarly, Santorini and the New Owner did not anticipate these issues as a lender or foreclosure purchaser, respectively. The problems were caused by the Developer. We believe it is in the HOA's best interest to put “on line” an additional Unit owner that will pay HOA dues to address condominium issues that have identified. And, I believe, we should seek redress from the Developer responsible for creating the unfortunate situation in which we both find ourselves. We look forward to working with you and hope you will support the BZA filing that has been made. Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, July 13, 2022 3:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: [5912 9th St NW](#)

Mr. Snider,

As a recap to our conversations, we discussed:

- Unpaid HOA Dues; please find attached. There is an overdue amount of **\$6,846.00** (inclusive of upcoming August payment). This can be cause for the [HOA to place a lien](#), an option we rather not exercise. As a gesture of good will, we've also waived any and all late fees.
- Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now.

We recognize it's in your best interest to have HOA approval for BZA Zoning relief and DCRA CofO review. As majority owners of the building, any permit or CofO changes require HOA approval. A bargain can be struck where we support you in remediating current issues while also protecting against the risk of future issues due to poor construction.

As first time homeowners, we did not anticipate the number of issues we've faced and we're at a point, where we're willing to work with you, BZA, DCRA to reach a mutually beneficial agreement that meets all parties interests.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Monday, June 27, 2022 at 8:41 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: [5912 9th St NW](#)

Steven,

Are you available to talk tomorrow at 9am or 2pm? I can give you a call then.

Best,

-Mohammad

On Jun 20, 2022, 5:22 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Thank you.

Sent from my iPhone

On Jun 20, 2022, at 5:21 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,

-Mohammad

On Jun 20, 2022, 5:14 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

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From: Steven Snider
Sent: Thursday, June 16, 2022 1:40 PM
To: hassan9291@gmail.com
Subject: 5912 9th St NW

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

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promoting, marketing or recommending to another party any transaction or matter addressed herein.



HOA Letter of Support and Authorization.pdf

19K

Mohammad Hassan <hassan9291@gmail.com>

Fri, Sep 30, 2022 at 12:44 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <bradley.philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Hey Steven,

Thanks for this. The attachment, from my understanding, states that you will be granted authority to act as representative of the HOA.

Is that the correct interpretation? If so, that is not true.

We did, however, discuss remediating property issues as outlined on my email on September 21st.

To be clear, we do not authorize you to act on behalf of the HOA. We have never discussed this and it's off the table for future negotiations, until you provide past due payments and work with us to make the structure sound.

Let me know if you have any questions and I look forward to hearing back from you.

Thanks,
-Mohammad

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,

-Mohammad

On Jun 20, 2022, 5:14 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

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From: Steven Snider

Sent: Thursday, June 16, 2022 1:40 PM

To: hassan9291@gmail.com
Subject: 5912 9th St NW

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

[Quoted text hidden]

Steven Snider <Steven.Snider@sniderweinstein.com>

Fri, Sep 30, 2022 at 1:25 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <bradley.philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

I direct you to Hannah, the architect handling this matter. She will directly address with you what is needed. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

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[Washington, D.C. 20036](#)

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Friday, September 30, 2022 12:45 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <bradley.philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

Hey Steven,

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Let me know if you have any questions and I look forward to hearing back from you.

Thanks,

-Mohammad

On Sep 30, 2022 at 12:24 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Please execute the attached and return to me by e-mail with a copy to all parties copied on this e-mail. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400](tel:202-293-9400)/ext. 1

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From: Steven Snider

Sent: Friday, September 30, 2022 11:57 AM

To: 'Mohammad Hassan' <hassan9291@gmail.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Philipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

Confirmed. Please forward the HOA's wire instructions. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, September 21, 2022 4:58 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Steven – the HOA has a revised agreement.

1. Immediately following the successful deposit of the check in the amount of \$3,548 to the HOAs account, the HOA will e-mail Mr. Steven Snider the HOA reports reflecting the issues at the property.
2. The HOA will cooperate with Unit 5 owner, Mr. Steven Snider in seeking BZA approval of its pending case. Cooperation shall include adequate consideration of all requests for signatures:
 - a. HOA will consider the letters that Unit 5 owner, Steven Snider requests sign-off on and weigh that against the HOA needs (i.e. structural soundness, pre-existing issues, etc.) seeking to collaborate and find common ground in good faith.
 - b. If Unit 5 owner, does not seek common ground in good faith this agreement is voided.
3. Unit 5 owner will begin making monthly payments for the HOA dues the subsequent month after this agreement is made, while paying existing overdue payments after successfully navigating BZA and DCRA to obtain a new CoFO (Note: this would be before selling as you may know the prior owners obligations to pay dues are moot after sale)
4. If the Unit 5 owner does not continue to make monthly payments and breaches this agreement, this agreement is voided.

Please confirm the foregoing and we are prepared to move forward. Thanks, Steven.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, September 21, 2022 at 4:12 PM

To: 'Mohammad Hassan' <hassan9291@gmail.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

Mohammad—I hope this e-mail finds you well. For almost one month, I have not received a response from you to my e-mail of August 29, 2022. See below. I believe it reflects, with certain clarifications, the offer you stated was reasonable in your e-mail to me of August 24, 2022. See below. Can I expect to hear from you shortly? Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Steven Snider

Sent: Monday, August 29, 2022 4:53 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Subject: RE: [5912 9th St NW](#)

Mohammad—assuming you're in agreement with the below, I will send you a check for \$3,548:

1. Immediately following receipt of the check, you will e-mail me reports that you referred to in prior e-mails.
2. You will cooperate with the Unit 5 owner in seeking BZA approval of its pending case. Cooperation shall include signing whatever letters or documents are required to support obtaining such approval.
3. We will work together to figure out what issues exist with respect to Unit 5 that may be affecting other parts of the building and, based upon such review, address how to fairly allocate costs to rectify the issue(s).
4. The Unit 5 owner will pay the balance of the condo fees when Unit 5 is sold without any late fees.

Please confirm the foregoing and I will send the check. Thanks, Mohammad.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Monday, August 29, 2022 8:00 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Mr. Snider,

The condo dues invoice is attached. The dues are fixed-price with equal interest at \$250/month for each unit.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Thursday, August 25, 2022 at 5:48 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: 5912 9th St NW

Mohammad—please send me the condo dues invoice? Is Unit 5's portion based upon an allocation of its actual square feet?

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: 202-293-9400/ext. 1

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steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, August 24, 2022 6:03 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

The Condo Association appreciates the offer and it is a reasonable one. We agree to accept ½ the owed condo dues and in good faith will share our reports in exchange.

What principle or guiding method will we use to determine the issues that "might be addressed by the Unit 5 owner"? We also anticipate known unknowns. For instance the HOA has recently had unknown leaks wherein DC water usage skyrocketed. The cost here was ~\$900.

DC water does not reimburse in these cases unless we can prove it is a misreading by hiring a third party professional to do a top-down inspection. We believe these to be systemic issues as we've had multiple other such leaks since purchase:

We haven't yet had the funds to have an expert do said top-down inspection. Many defects such as these are pre-existing.

Do we have agreement from Unit 5 owner to fairly split the costs for additional third-party professionals to further ascertain the depth of issues?

I await your response.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Thursday, August 18, 2022 at 5:38 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: [5912 9th St NW](#)

The owner of Unit 5 is in a position to pay ½ of the Unit 5 HOA fees at this time. Thereafter, we would like you to present your list, backed up by a third party professional report that I understand you have, identifying any structural issues of concern with respect to Unit 5. Once we agree on what issues might be addressed by the Unit 5 owner, the balance of the dues would be paid subject to your cooperating in the upcoming BZA hearing to enable the Unit 5 owner to obtain approvals requested from the BZA. I await your thoughts.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 9:38 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

I also raised the issues of HOA dues and since you agreed that "the New Owner understands its obligation to pay HOA dues." It make sense to deal with interests where both parties are agreed on responsibility.

It'll go a long way in an action oriented way in demonstrating your commitment to a collaborative relationship. Since you're having difficulty imaging my surprise, let me say it bluntly. My intention in working with you was to negotiate a win-win that balances the impact on all parties. Since you've played hardball and made some serious accusations, let's just start where we both agree, which is that you owe **\$6,846.00** in dues wherein the HOA has kindly waived penalties until the end of the month.

You went behind the HOAs back, falsified statements of ownership in your BZA filing, asserted your legal muscle claiming 'extortion' on the HOAs behalf, made it about 'money' at the BZA hearing, yet refuse to pay dues that you agree you owe. I'm sure you can see the surprise and irony in all of that. Now that BZA agrees with the HOAs ownership stance, you want us to share our resources with no skin-in-the-game from you? No thank you. You changed the rules and we have to adapt.

So in the spirit of working collaboratively which we both said you also wanted, I would appreciate that you paid the dues.

I look forward to our renewed and collaborative relationship rooted in actionable signs of collaboration.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 9:06 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—since you have raised structural issues, I would appreciate your sending me a copy of the reports you referenced during our call earlier today. The title holder of Unit 5 needs to assess these issues and address the appropriate party or parties to pursue to have any legitimate issues rectified. I understand your position regarding the HOA dues but am unable to imagine your surprise. Like you, however, I look forward to a collaborative relationship going forward. Regards. Steve

Sent from my iPad

On Jul 13, 2022, at 8:38 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Snider,

Please pay the outstanding HOA dues. The first time we sent over an email to you requesting them was on **Tuesday, May 4, 2021 at 9:03 AM**. We'll begin assessing late fees at the end of this month for every subsequent month until payment is made.

When I spoke to you this morning, you asked me, "When is the hearing? Has it happened already?" and I let you know it was today and that I wouldn't be able to attend due to work commitments. Imagine my surprise to hear you on the YouTube recording of the hearing and your assertions .

I look forward to your payment and a more collaborative relationship going forward.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 8:29 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC

4B) <4B@anc.dc.gov>
Subject: Re: [5912 9th St NW](#)

Mr. Hassan—please send me a copy of the report(s) you referenced in your e-mail earlier today. Thank you.

Sent from my iPhone

On Jul 13, 2022, at 8:27 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Carballo,

Please include me on all correspondence with the ANC as owners of the building and representative of the HOA.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Wednesday, July 13, 2022 at 6:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: [5912 9th St NW](#)

No, the HOA is saying the following: The issues with the structure are due to the load bearing nature of Unit 5 which you knowingly bought into and we ask you to fix or pay for the fix so the building is safe and sound for us and the future owner you'll eventually sell to.

Alternatively, maybe you can just tear it down? That would be just as good from our perspective but likely not yours. Are you willing to do this?

I didn't hear from you on when you'll pay dues? They've been outstanding for years.

In any case, as I stated, the HOA has the approval authority and we'd like to work with you, not against you. This is in spite of the fact you haven't paid a single dollar in dues for multiple years, tried to sidestep our authority with the BZA and DCRA and finally claimed ownership of "[5912 9th St NW](#) (Square 2986, Lot 25)" in the BZA application which is not true. The HOA owns the building/property. The DCOZ Application requirements [here](#) are clear in defining the owner, "The **owner of property** for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning." (Subtitle Y § 300.4.)"

It is inappropriate for you to insinuate that the two LLCs aren't backed by the same person and mislead DCRA and BZA as owners of "[5912 9th St NW \(Square 2986, Lot 25\)](#)" in your filings.

Furthermore, please do not label fair ask as extortion. And finally if you're going to claim all of this, please at least pay a single dollar in HOA dues first.

I know you're a [big lawyer and financier](#) and we're small first time homeowners but we're playing fair and firm. I hope you'll join us.

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 5:46 PM
To: Mohammad Hassan <hassan9291@gmail.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: RE: 5912 9th St NW

They key part of your e-mail is:

"Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now."

HOA is basically saying that we need its approval to obtain BZA approval and a CofO. The cost of such approval is that the Unit 5 owner pay for "current and future issues and/or pay our contractors to fix the issues now." I abhor extortion. Santorini was the lender. SC Holdings Peabody LLC was the purchaser at a foreclosure initiated by Santorini. Neither is a Developer. It is not appropriate for you to demand that Santorini or SC Holdings Peabody LLC assume the Developer's responsibility to obtain HOA approval.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, July 13, 2022 5:25 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

Mr. Snider,

Thanks for your response.

1. When can the HOA expect payment for the unpaid HOA dues?
2. You still need HOA approval to receive BZA relief and/or an updated CofO. Please share your written request to the HOA to evaluate. DCRA cannot provide an updated CofO until the HOA approves. We're the majority owners of "5912 9th St NW (Square 2986, Lot 25)", not "SC Holdings Peabody, LLC"

While I appreciate that you're also in a unfortunate situation. You worked with Tom/Mick ("the developer") and financed the original project. Furthermore, Santorini Capital and SC Holdings Peabody, LLC knowingly bought the property at foreclosure for 251K and assumed risks. This was after the HOA had raised issues to DCRA about unauthorized permitting. This was public information as DCRA had a stop work order on the building. Regardless of knowledge or lack thereof, the HOA holds majority ownership and you will need our approval to make this unit legal which comes with our fair and balanced terms. In the meantime, we'll protect our investment in the building and the future owner of the property.

Finally, I find the use of "New Owner" is misleading. This was a clever paper change. You're the contact and President for both LLCs (SC Holdings Peabody LLC and Santorini Capital), therefore ownership changed in the LLC sense but not in a way that is materially important for the HOAs stance:

Error! Filename not specified.

[Santorini Capital LLC](#)

SC Peabody LLC

Hopefully we're able to find middle ground and this would be something that is in everyone's best interest. Until then –

Mr. Legrant, Mr. Rohan Reid, Ms. Bardin – The HOA is opposed to an updated CofO and BZA relief until we can finish negotiations with Mr. Snider and receive unpaid HOA dues and strike a bargain for the structural and construction defects to the building. These are issues that a DCRA inspector should/would find in the process of approving any change to permits anyways. The reports have been shared with DCRA and BZA already.

Best,

-Mohammad

(240) 482-6127

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 4:28 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, Mike Kuehn <mike@mkuehn.com>, Adam Carballo <adam@carballoarch.com>, Hannah Breedlove <hannah@carballoarch.com>
Subject: RE: 5912 9th St NW

Mr. Hassan—thank you for your e-mail. I appreciate your call earlier today and the opportunity to substantively discuss the 9th Street matter after trying to reach you by e-mail and phone numerous times over the past several weeks. As you know, Santorini Capital was the lender that financed the purchase and renovation of the property located at 5912 9th St NW (the “Property” or “Building”). Santorini was **not** the developer that bought the Building and performed the renovation (the “Developer”). Santorini funded the loan, and the Developer completed the renovation, sold four units and was seeking a Certificate of Occupancy for a fifth unit when DCRA issued a letter that the Developer did not have the necessary permits to build a fifth unit in the Building. Following numerous defaults by the Developer, Santorini foreclosed on its first trust lien on the Property (which, at that point, after the sale of four units, was a lien on Unit 5 only), and Unit 5 was acquired at the foreclosure sale by SC Holdings Peabody LLC (the “New Owner”). Neither Santorini nor the New Owner developed or renovated the Property. The New Owner understands its obligation to pay HOA dues. However, it is not liable for nor willing to pay amounts required to address “structural and other major issues with the building.” I understand that you did not anticipate these issues as first time homeowners. Similarly, Santorini and the New Owner did not anticipate these issues as a lender or foreclosure purchaser, respectively. The problems were caused by the Developer. We

believe it is in the HOA's best interest to put "on line" an additional Unit owner that will pay HOA dues to address condominium issues that have identified. And, I believe, we should seek redress from the Developer responsible for creating the unfortunate situation in which we both find ourselves. We look forward to working with you and hope you will support the BZA filing that has been made. Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 3:37 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>

Cc: Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

As a recap to our conversations, we discussed:

- Unpaid HOA Dues; please find attached. There is an overdue amount of **\$6,846.00** (inclusive of upcoming August payment). This can be cause for the [HOA to place a lien](#), an option we rather not exercise. As a gesture of good will, we've also waived any and all late fees.

- Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now.

We recognize it's in your best interest to have HOA approval for BZA Zoning relief and DCRA CofO review. As majority owners of the building, any permit or CofO changes require HOA approval. A bargain can be struck where we support you in remediating current issues while also protecting against the risk of future issues due to poor construction.

As first time homeowners, we did not anticipate the number of issues we've faced and we're at a point, where we're willing to work with you, BZA, DCRA to reach a mutually beneficial agreement that meets all parties interests.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>

Date: Monday, June 27, 2022 at 8:41 AM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Subject: Re: 5912 9th St NW

Steven,

Are you available to talk tomorrow at 9am or 2pm? I can give you a call then.

Best,

-Mohammad

On Jun 20, 2022, 5:22 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Thank you.

Sent from my iPhone

On Jun 20, 2022, at 5:21 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,

-Mohammad

On Jun 20, 2022, 5:14 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Thursday, June 16, 2022 1:40 PM
To: hassan9291@gmail.com
Subject: [5912 9th St NW](#)

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, "Philipps, Bradley" <bradley.philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov" <matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>

Thanks for this information.

You're welcome to work with them but this does not change payment owed or that there are structural issues with the building as determined by the vendors we've already worked with.

Therefore I see no value in working with your elected vendors.

Any findings you identified by your vendor will not be taken under consideration by this HOA.

Please limit communication accordingly.

Best,

-Mohammad

On Sep 30, 2022 at 1:25 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

I direct you to Hannah, the architect handling this matter. She will directly address with you what is needed. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Friday, September 30, 2022 12:45 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove

<hannah@carballoarch.com>; Philipps, Bradley <bradley.philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

Hey Steven,

Thanks for this. The attachment, from my understanding, states that you will be granted authority to act as representative of the HOA.

Is that the correct interpretation? If so, that is not true.

We did, however, discuss remediating property issues as outlined on my email on September 21st.

To be clear, we do not authorize you to act on behalf of the HOA. We have never discussed this and it's off the table for future negotiations, until you provide past due payments and work with us to make the structure sound.

Let me know if you have any questions and I look forward to hearing back from you.

Thanks,

-Mohammad

On Sep 30, 2022 at 12:24 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Please execute the attached and return to me by e-mail with a copy to all parties copied on this e-mail. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Friday, September 30, 2022 11:57 AM
To: 'Mohammad Hassan' <hassan9291@gmail.com>
Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

Confirmed. Please forward the HOA's wire instructions. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, September 21, 2022 4:58 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>
Subject: Re: 5912 9th St NW

Steven – the HOA has a revised agreement.

1. Immediately following the successful deposit of the check in the amount of \$3,548 to the HOAs account, the HOA will e-mail Mr. Steven Snider the HOA reports reflecting the issues at the property.
2. The HOA will cooperate with Unit 5 owner, Mr. Steven Snider in seeking BZA approval of its pending case. Cooperation shall include adequate consideration of all requests for signatures:
 - a. HOA will consider the letters that Unit 5 owner, Steven Snider requests sign-off on and weigh that against the HOA needs (i.e. structural soundness, pre-existing issues, etc.) seeking to collaborate and find common ground in good faith.
 - b. If Unit 5 owner, does not seek common ground in good faith this agreement is voided.
3. Unit 5 owner will begin making monthly payments for the HOA dues the subsequent month after this agreement is made, while paying existing overdue payments after successfully navigating BZA and DCRA to obtain a new CofO (Note: this would be before selling as you may know the prior owners obligations to pay dues are moot after sale)
4. If the Unit 5 owner does not continue to make monthly payments and breaches this agreement, this agreement is voided.

Please confirm the foregoing and we are prepared to move forward. Thanks, Steven.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, September 21, 2022 at 4:12 PM
To: 'Mohammad Hassan' <hassan9291@gmail.com>
Cc: 'Adam Carballo' <adam@carballoarch.com>, 'Mike Kuehn' <mike@mkuehn.com>, 'Hannah Breedlove' <hannah@carballoarch.com>, 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>, 'Delaine Englebert' <denglebert1@outlook.com>, 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>, 'rohan.reid@dc.gov' <rohan.reid@dc.gov>, 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>, 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

Mohammad—I hope this e-mail finds you well. For almost one month, I have not received a response from you to my e-mail of August 29, 2022. See below. I believe it reflects, with certain clarifications, the offer you stated was reasonable in your e-mail to me of August 24, 2022. See below. Can I expect to hear from you shortly? Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider**Sent:** Monday, August 29, 2022 4:53 PM**To:** Mohammad Hassan <hassan9291@gmail.com>**Subject:** RE: 5912 9th St NW

Mohammad—assuming you're in agreement with the below, I will send you a check for \$3,548:

1. Immediately following receipt of the check, you will e-mail me reports that you referred to in prior e-mails.
2. You will cooperate with the Unit 5 owner in seeking BZA approval of its pending case. Cooperation shall include signing whatever letters or documents are required to support obtaining such approval.
3. We will work together to figure out what issues exist with respect to Unit 5 that may be affecting other parts of the building and, based upon such review, address how to fairly allocate costs to rectify the issue(s).
4. The Unit 5 owner will pay the balance of the condo fees when Unit 5 is sold without any late fees.

Please confirm the foregoing and I will send the check. Thanks, Mohammad.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

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steven.snider@sniderweinstein.com

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and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Monday, August 29, 2022 8:00 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Mr. Snider,

The condo dues invoice is attached. The dues are fixed-price with equal interest at \$250/month for each unit.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Thursday, August 25, 2022 at 5:48 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: 5912 9th St NW

Mohammad—please send me the condo dues invoice? Is Unit 5's portion based upon an allocation of its actual square feet?

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, August 24, 2022 6:03 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

The Condo Association appreciates the offer and it is a reasonable one. We agree to accept ½ the owed condo dues and in good faith will share our reports in exchange.

What principle or guiding method will we use to determine the issues that "might be addressed by the Unit 5 owner"? We also anticipate known unknowns. For instance the HOA has recently had unknown leaks wherein DC water usage skyrocketed. The cost here was ~\$900.

DC water does not reimburse in these cases unless we can prove it is a misreading by hiring a third party professional to do a top-down inspection. We believe these to be systemic issues as we've had multiple other such leaks since purchase:

We haven't yet had the funds to have an expert do said top-down inspection. Many defects such as these are pre-existing.

Do we have agreement from Unit 5 owner to fairly split the costs for additional third-party professionals to further ascertain the depth of issues?

I await your response.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Thursday, August 18, 2022 at 5:38 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

The owner of Unit 5 is in a position to pay ½ of the Unit 5 HOA fees at this time. Thereafter, we would like you to present your list, backed up by a third party professional report that I understand you have, identifying any structural issues of concern with respect to Unit 5. Once we agree on what issues might be addressed by the Unit 5 owner, the balance of the dues would be paid subject to your cooperating in the upcoming BZA hearing to enable the Unit 5 owner to obtain approvals requested from the BZA. I await your thoughts.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, July 13, 2022 9:38 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: Re: 5912 9th St NW

Mr. Snider,

I also raised the issues of HOA dues and since you agreed that “the New Owner understands its obligation to pay HOA dues.” It make sense to deal with interests where both parties are agreed on responsibility.

It'll go a long way in an action oriented way in demonstrating your commitment to a collaborative relationship. Since you're having difficulty imaging my surprise, let me say it bluntly. My intention in working with you was to negotiate a win-win that balances the impact on all parties. Since you've played hardball and made some serious accusations, let's just start where we both agree, which is that you owe **\$6,846.00** in dues wherein the HOA has kindly waived penalties until the end of the month.

You went behind the HOAs back, falsified statements of ownership in your BZA filing, asserted your legal muscle claiming 'extortion' on the HOAs behalf, made it about 'money' at the BZA hearing, yet refuse to pay dues that you agree you owe. I'm sure you can see the surprise and irony in all of that. Now that BZA agrees with the HOAs ownership stance, you want us to share our resources with no skin-in-the-game from you? No thank you. You changed the rules and we have to adapt.

So in the spirit of working collaboratively which we both said you also wanted, I would appreciate that you paid the dues.

I look forward to our renewed and collaborative relationship rooted in actionable signs of collaboration.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 9:06 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: Re: 5912 9th St NW

Mr. Hassan—since you have raised structural issues, I would appreciate your sending me a copy of the reports you referenced during our call earlier today. The title holder of Unit 5 needs to assess these issues and address the appropriate party or parties to pursue to have any legitimate issues rectified. I understand your position regarding the HOA dues but am unable to imagine your surprise. Like you, however, I look forward to a collaborative relationship going forward. Regards.
Steve

Sent from my iPad

On Jul 13, 2022, at 8:38 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Snider,

Please pay the outstanding HOA dues. The first time we sent over an email to you requesting them was on **Tuesday, May 4, 2021 at 9:03 AM**. We'll begin assessing late fees at the end of this month for every subsequent month until payment is made.

When I spoke to you this morning, you asked me, "When is the hearing? Has it happened already?" and I let you know it was today and that I wouldn't be able to attend due to work commitments. Imagine my surprise to hear you on the YouTube recording of the hearing and your assertions .

I look forward to your payment and a more collaborative relationship going forward.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 8:29 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—please send me a copy of the report(s) you referenced in your e-mail earlier today. Thank you.

Sent from my iPhone

On Jul 13, 2022, at 8:27 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Carballo,

Please include me on all correspondence with the ANC as owners of the building and representative of the HOA.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Wednesday, July 13, 2022 at 6:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

No, the HOA is saying the following: The issues with the structure are due to the load bearing nature of Unit 5 which you knowingly bought into and we ask you to fix or pay for the fix so the building is safe and sound for us and the future owner you'll eventually sell to.

Alternatively, maybe you can just tear it down? That would be just as good from our perspective but likely not yours. Are you willing to do this?

I didn't hear from you on when you'll pay dues? They've been outstanding for years.

In any case, as I stated, the HOA has the approval authority and we'd like to work with you, not against you. This is in spite of the fact you haven't paid a single dollar in dues for multiple years, tried to sidestep our authority with the BZA and DCRA and finally claimed ownership of "5912 9th St NW (Square 2986, Lot 25)" in the BZA application which is not true. The HOA owns the building/property. The DCOZ Application requirements [here](#) are clear in defining the owner, "The **owner of property** for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning." (Subtitle Y § 300.4.)"

It is inappropriate for you to insinuate that the two LLCs aren't backed by the same person and mislead DCRA and BZA as owners of "5912 9th St NW (Square 2986, Lot 25)" in your filings. Furthermore, please do not label fair ask as extortion. And finally if you're going to claim all of this, please at least pay a single dollar in HOA dues first.

I know you're a [big lawyer and financier](#) and we're small first time homeowners but we're playing fair and firm. I hope you'll join us.

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 5:46 PM
To: Mohammad Hassan <hassan9291@gmail.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: RE: 5912 9th St NW

They key part of your e-mail is:

"Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision

to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now."

HOA is basically saying that we need its approval to obtain BZA approval and a CofO. The cost of such approval is that the Unit 5 owner pay for "current and future issues and/or pay our contractors to fix the issues now." I abhor extortion. Santorini was the lender. SC Holdings Peabody LLC was the purchaser at a foreclosure initiated by Santorini. Neither is a Developer. It is not appropriate for you to demand that Santorini or SC Holdings Peabody LLC assume the Developer's responsibility to obtain HOA approval.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 5:25 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Adam Carballo <adam@carballoarch.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

Thanks for your response.

1. When can the HOA expect payment for the unpaid HOA dues?
2. You still need HOA approval to receive BZA relief and/or an updated CofO. Please share your written request to the HOA to evaluate. DCRA cannot provide an updated CofO until the HOA approves. We're the majority owners of "5912 9th St NW (Square 2986, Lot 25)", not "SC Holdings Peabody, LLC"

While I appreciate that you're also in a unfortunate situation. You worked with Tom/Mick ("the developer") and financed the original project. Furthermore, Santorini Capital and SC Holdings Peabody, LLC knowingly bought the property at foreclosure for 251K and assumed risks. This was after the HOA had raised issues to DCRA about unauthorized permitting. This was public information as DCRA had a stop work order on the building. Regardless of knowledge or lack thereof, the HOA holds majority ownership and you will need our approval to make this unit legal which comes with our fair and balanced terms. In the meantime, we'll protect our investment in the building and the future owner of the property.

Finally, I find the use of "New Owner" is misleading. This was a clever paper change. You're the contact and President for both LLCs (SC Holdings Peabody LLC and Santorini Capital), therefore ownership changed in the LLC sense but not in a way that is materially important for the HOAs stance:

Error! Filename not specified.

[Santorini Capital LLC](#)

[SC Peabody LLC](#)

Hopefully we're able to find middle ground and this would be something that is in everyone's best interest. Until then –

Mr. Legrant, Mr. Rohan Reid, Ms. Bardin – The HOA is opposed to an updated CofO and BZA relief until we can finish negotiations with Mr. Snider and receive unpaid HOA dues and strike a bargain for the structural and construction defects to the building. These are issues that a DCRA inspector should/would find in the process of approving any change to permits anyways. The reports have been shared with DCRA and BZA already.

Best,

-Mohammad

(240) 482-6127

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 4:28 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, Mike Kuehn <mike@mkuehn.com>, Adam Carballo <adam@carballoarch.com>, Hannah Breedlove <hannah@carballoarch.com>

Subject: RE: 5912 9th St NW

Mr. Hassan—thank you for your e-mail. I appreciate your call earlier today and the opportunity to substantively discuss the 9th Street matter after trying to reach you by e-mail and phone numerous times over the past several weeks. As you know, Santorini Capital was the lender that financed the purchase and renovation of the property located at 5912 9th St NW (the “Property” or “Building”). Santorini was **not** the developer that bought the Building and performed the renovation (the “Developer”). Santorini funded the loan, and the Developer completed the renovation, sold four units and was seeking a Certificate of Occupancy for a fifth unit when DCRA issued a letter that the Developer did not have the necessary permits to build a fifth unit in the Building. Following numerous defaults by the Developer, Santorini foreclosed on its first trust lien on the Property (which, at that point, after the sale of four units, was a lien on Unit 5 only), and Unit 5 was acquired at the foreclosure sale by SC Holdings Peabody LLC (the “New Owner”). Neither Santorini nor the New Owner developed or renovated the Property. The New Owner understands its obligation to pay HOA dues. However, it is not liable for nor willing to pay amounts required to address “structural and other major issues with the building.” I understand that you did not anticipate these issues as first time homeowners. Similarly, Santorini and the New Owner did not anticipate these issues as a lender or foreclosure purchaser, respectively. The problems were caused by the Developer. We believe it is in the HOA’s best interest to put “on line” an additional Unit owner that will pay HOA dues to address condominium issues that have identified. And, I believe, we should seek redress from the Developer responsible for creating the unfortunate situation in which we both find ourselves. We look forward to working with you and hope you will support the BZA filing that has been made. Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, July 13, 2022 3:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

Mr. Snider,

As a recap to our conversations, we discussed:

- Unpaid HOA Dues; please find attached. There is an overdue amount of **\$6,846.00** (inclusive of upcoming August payment). This can be cause for the [HOA to place a lien](#), an option we rather not exercise. As a gesture of good will, we've also waived any and all late fees.
- Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now.

We recognize it's in your best interest to have HOA approval for BZA Zoning relief and DCRA CofO review. As majority owners of the building, any permit or CofO changes require HOA approval. A bargain can be struck where we support you in remediating current issues while also protecting against the risk of future issues due to poor construction.

As first time homeowners, we did not anticipate the number of issues we've faced and we're at a point, where we're willing to work with you, BZA, DCRA to reach a mutually beneficial agreement that meets all parties interests.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Monday, June 27, 2022 at 8:41 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Steven,

Are you available to talk tomorrow at 9am or 2pm? I can give you a call then.

Best,

-Mohammad

On Jun 20, 2022, 5:22 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Thank you.

Sent from my iPhone

On Jun 20, 2022, at 5:21 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,

-Mohammad

On Jun 20, 2022, 5:14 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Thursday, June 16, 2022 1:40 PM
To: hassan9291@gmail.com
Subject: 5912 9th St NW

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

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communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

Hannah Breedlove <hannah@carballoarch.com>

Fri, Sep 30, 2022 at 1:35 PM

To: Mohammad Hassan <hassan9291@gmail.com>, Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, "Philipps, Bradley"

<bradley.philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov"

<matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>, Caitlin Mullett <caitlin@carballoarch.com>

Hi Mr. Hassan,

I understand that you and Steven are still in financial negotiations, but hopefully I can provide some clarity regarding why we are asking for this particular authorization in the meantime.

The BZA is looking at this as if the building itself is asking for the relief. Our ultimate goal is to obtain a Certificate of Occupancy for the fifth floor so that it is no longer vacant. In order to proceed with this, the BZA asked for a letter using that specific vocabulary that essentially states that Mr. Snider would act on behalf of the building, authorizing him to act more or less as the property owner for the sake of the application. The intent is not for this to be an act that grants Mr. Snider any power beyond getting the permits and ultimately a Certificate of Occupancy, and the letter limits his authorization as such.

We appreciate your willingness to work with Mr. Snider and our office as we try to resolve this. Mr. Snider has expressed his commitment to resolving the outstanding issues such as past due payments and structural work, and this commitment has already

been entered as evidence with the BZA. So that we may proceed with the timeframe that was determined by the BZA in an effort to better the building, we would greatly appreciate it if you would be willing to grant the authorization prior to future negotiations but on the basis that Mr. Snider is actively complying with the agreed upon items.

This project is being heard by the BZA on October 5th. You are more than welcome to join this meeting and be a part of the discussion. We want to be transparent and keep you and the HOA involved in the process, but the letter is required by the BZA in order to present the case at all on Wednesday.

Thank you for your consideration, and please let me know if I can answer any specific questions.

Best,

Hannah



Hannah Breedlove – Design Associate

Carballo Architecture, LLC

1816 Aliceanna Street- Baltimore, MD 21231

hannah@carballoarch.com

443.963.1077 ext. 102 office

carballoarchitecture.com

Office hours: M-Th 8:30A-5:30P, F 8:30A-3PM

From: Mohammad Hassan <hassan9291@gmail.com>

Date: Friday, September 30, 2022 at 1:32 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <bradley.philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

Thanks for this information.

You're welcome to work with them but this does not change payment owed or that there are structural issues with the building as determined by the vendors we've already worked with.

Therefore I see no value in working with your elected vendors.

Any findings you identified by your vendor will not be taken under consideration by this HOA.

Please limit communication accordingly.

Best,

-Mohammad

On Sep 30, 2022 at 1:25 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

I direct you to Hannah, the architect handling this matter. She will directly address with you what is needed. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

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steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Friday, September 30, 2022 12:45 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <bradley.philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: [5912 9th St NW](#)

Hey Steven,

Thanks for this. The attachment, from my understanding, states that you will be granted authority to act as representative of the HOA.

Is that the correct interpretation? If so, that is not true.

We did, however, discuss remediating property issues as outlined on my email on September 21st.

To be clear, we do not authorize you to act on behalf of the HOA. We have never discussed this and it's off the table for future negotiations, until you provide past due payments and work with us to make the structure sound.

Let me know if you have any questions and I look forward to hearing back from you.

Thanks,

-Mohammad

On Sep 30, 2022 at 12:24 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Please execute the attached and return to me by e-mail with a copy to all parties copied on this e-mail. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

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From: Steven Snider

Sent: Friday, September 30, 2022 11:57 AM

To: 'Mohammad Hassan' <hassan9291@gmail.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: RE: [5912 9th St NW](#)

Confirmed. Please forward the HOA's wire instructions. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, September 21, 2022 4:58 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Philipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Steven – the HOA has a revised agreement.

1. Immediately following the successful deposit of the check in the amount of \$3,548 to the HOAs account, the HOA will e-mail Mr. Steven Snider the HOA reports reflecting the issues at the property.
2. The HOA will cooperate with Unit 5 owner, Mr. Steven Snider in seeking BZA approval of its pending case. Cooperation shall include adequate consideration of all requests for signatures:
 - a. HOA will consider the letters that Unit 5 owner, Steven Snider requests sign-off on and weigh that against the HOA needs (i.e. structural soundness, pre-existing issues, etc.) seeking to collaborate and find common ground in good faith.
 - b. If Unit 5 owner, does not seek common ground in good faith this agreement is voided.
3. Unit 5 owner will begin making monthly payments for the HOA dues the subsequent month after this agreement is made, while paying existing overdue payments after successfully navigating BZA and DCRA to obtain a new CofO

- (Note: this would be before selling as you may know the prior owners obligations to pay dues are moot after sale)
4. If the Unit 5 owner does not continue to make monthly payments and breaches this agreement, this agreement is voided.

Please confirm the foregoing and we are prepared to move forward. Thanks, Steven.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, September 21, 2022 at 4:12 PM
To: 'Mohammad Hassan' <hassan9291@gmail.com>
Cc: 'Adam Carballo' <adam@carballoarch.com>, 'Mike Kuehn' <mike@mkuehn.com>, 'Hannah Breedlove' <hannah@carballoarch.com>, 'Philipps, Bradley' <Bradley.Philipps@katzmedia.com>, 'Delaine Englebert' <denglebert1@outlook.com>, 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>, 'rohan.reid@dc.gov' <rohan.reid@dc.gov>, 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>, 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

Mohammad—I hope this e-mail finds you well. For almost one month, I have not received a response from you to my e-mail of August 29, 2022. See below. I believe it reflects, with certain clarifications, the offer you stated was reasonable in your e-mail to me of August 24, 2022. See below. Can I expect to hear from you shortly? Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Monday, August 29, 2022 4:53 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: [5912 9th St NW](#)

Mohammad—assuming you're in agreement with the below, I will send you a check for \$3,548:

1. Immediately following receipt of the check, you will e-mail me reports that you referred to in prior e-mails.
2. You will cooperate with the Unit 5 owner in seeking BZA approval of its pending case. Cooperation shall include signing whatever letters or documents are required to support obtaining such approval.
3. We will work together to figure out what issues exist with respect to Unit 5 that may be affecting other parts of the building and, based upon such review, address how to fairly allocate costs to rectify the issue(s).
4. The Unit 5 owner will pay the balance of the condo fees when Unit 5 is sold without any late fees.

Please confirm the foregoing and I will send the check. Thanks, Mohammad.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

Cell: [202-714-9677](#)

Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Monday, August 29, 2022 8:00 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: [5912 9th St NW](#)

Mr. Snider,

The condo dues invoice is attached. The dues are fixed-price with equal interest at \$250/month for each unit.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Thursday, August 25, 2022 at 5:48 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Subject: RE: 5912 9th St NW

Mohammad—please send me the condo dues invoice? Is Unit 5's portion based upon an allocation of its actual square feet?

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, August 24, 2022 6:03 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove

<hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: Re: [5912 9th St NW](#)

The Condo Association appreciates the offer and it is a reasonable one. We agree to accept ½ the owed condo dues and in good faith will share our reports in exchange.

What principle or guiding method will we use to determine the issues that “might be addressed by the Unit 5 owner”? We also anticipate known unknowns. For instance the HOA has recently had unknown leaks wherein DC water usage skyrocketed. The cost here was ~\$900.

DC water does not reimburse in these cases unless we can prove it is a misreading by hiring a third party professional to do a top-down inspection. We believe these to be systemic issues as we’ve had multiple other such leaks since purchase:

We haven’t yet had the funds to have an expert do said top-down inspection. Many defects such as these are pre-existing.

Do we have agreement from Unit 5 owner to fairly split the costs for additional third-party professionals to further ascertain the depth of issues?

I await your response.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Thursday, August 18, 2022 at 5:38 PM
To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

The owner of Unit 5 is in a position to pay ½ of the Unit 5 HOA fees at this time. Thereafter, we would like you to present your list, backed up by a third party professional report that I understand you have, identifying any structural issues of concern with respect to Unit 5. Once we agree on what issues might be addressed by the Unit 5 owner, the balance of the dues would be paid subject to your cooperating in the upcoming BZA hearing to enable the Unit 5 owner to obtain approvals requested from the BZA. I await your thoughts.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: [202-293-9621](#)

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Fax: [202-293-9401](#)

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 9:38 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

I also raised the issues of HOA dues and since you agreed that "the New Owner understands its obligation to pay HOA dues." It make sense to deal with interests where both parties are agreed on responsibility.

It'll go a long way in an action oriented way in demonstrating your commitment to a collaborative relationship. Since you're having difficulty imaging my surprise, let me say it bluntly. My intention in working with you was to negotiate a win-win that balances the impact on all parties. Since you've played hardball and made some serious accusations, let's just start where we both agree, which is that you owe **\$6,846.00** in dues wherein the HOA has kindly waived penalties until the end of the month.

You went behind the HOAs back, falsified statements of ownership in your BZA filing, asserted your legal muscle claiming 'extortion' on the HOAs behalf, made it about 'money' at the BZA hearing, yet refuse to pay dues that you agree you owe. I'm sure you can see the surprise and irony in all of that. Now that BZA agrees with the HOAs ownership stance, you want us to share our resources with no skin-in-the-game from you? No thank you. You changed the rules and we have to adapt.

So in the spirit of working collaboratively which we both said you also wanted, I would appreciate that you paid the dues.

I look forward to our renewed and collaborative relationship rooted in actionable signs of collaboration.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 9:06 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—since you have raised structural issues, I would appreciate your sending me a copy of the reports you referenced during our call earlier today. The title holder of Unit 5 needs to assess these issues and address the appropriate party or parties to pursue to have any legitimate issues rectified. I understand your position regarding the HOA dues but am unable to imagine your surprise. Like you, however, I look forward to a collaborative relationship going forward. Regards. Steve

Sent from my iPad

On Jul 13, 2022, at 8:38 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Snider,

Please pay the outstanding HOA dues. The first time we sent over an email to you requesting them was on **Tuesday, May 4, 2021 at 9:03 AM**. We'll begin assessing late fees at the end of this month for every subsequent month until payment is made.

When I spoke to you this morning, you asked me, "When is the hearing? Has it happened already?" and I let you know it was today and that I wouldn't be able to attend due to work commitments. Imagine my surprise to hear you on the YouTube recording of the hearing and your assertions .

I look forward to your payment and a more collaborative relationship going forward.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 8:29 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: Re: 5912 9th St NW

Mr. Hassan—please send me a copy of the report(s) you referenced in your e-mail earlier today. Thank you.

Sent from my iPhone

On Jul 13, 2022, at 8:27 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Carballo,

Please include me on all correspondence with the ANC as owners of the building and representative of the HOA.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Wednesday, July 13, 2022 at 6:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

No, the HOA is saying the following: The issues with the structure are due to the load bearing nature of Unit 5 which you knowingly bought into and we ask you to fix or pay for the fix so the building is safe and sound for us and the future owner you'll eventually sell to.

Alternatively, maybe you can just tear it down? That would be just as good from our perspective but likely not yours. Are you willing to do this?

I didn't hear from you on when you'll pay dues? They've been outstanding for years.

In any case, as I stated, the HOA has the approval authority and we'd like to work with you, not against you. This is in spite of the fact you haven't paid a single dollar in dues for multiple years, tried to sidestep our authority with the BZA and DCRA and finally claimed ownership of "[5912 9th St NW](#) (Square 2986, Lot 25)" in the BZA application which is not true. The HOA owns the building/property. The DCOZ Application requirements [here](#) are clear in defining the owner, "The **owner of property** for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning." (Subtitle Y § 300.4.)"

It is inappropriate for you to insinuate that the two LLCs aren't backed by the same person and mislead DCRA and BZA as owners of "[5912 9th St NW \(Square 2986, Lot 25\)](#)" in your filings. Furthermore, please do not label fair ask as extortion. And finally if you're going to claim all of this, please at least pay a single dollar in HOA dues first.

I know you're a [big lawyer and financier](#) and we're small first time homeowners but we're playing fair and firm. I hope you'll join us.

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 5:46 PM
To: Mohammad Hassan <hassan9291@gmail.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: RE: 5912 9th St NW

They key part of your e-mail is:

"Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now."

HOA is basically saying that we need its approval to obtain BZA approval and a CofO. The cost of such approval is that the Unit 5 owner pay for "current and future issues and/or pay our contractors to fix the issues now." I abhor extortion. Santorini was the lender. SC Holdings Peabody LLC was the purchaser at a foreclosure initiated by Santorini. Neither is a Developer. It is not appropriate for you to demand that Santorini or SC Holdings Peabody LLC assume the Developer's responsibility to obtain HOA approval.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 5:25 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Adam Carballo <adam@carballoarch.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

Thanks for your response.

1. When can the HOA expect payment for the unpaid HOA dues?
2. You still need HOA approval to receive BZA relief and/or an updated CofO. Please share your written request to the HOA to evaluate. DCRA cannot provide an updated CofO until the HOA approves. We're the majority owners of "5912 9th St NW (Square 2986, Lot 25)", not "SC Holdings Peabody, LLC"

While I appreciate that you're also in a unfortunate situation. You worked with Tom/Mick ("the developer") and financed the original project. Furthermore, Santorini Capital and SC Holdings Peabody, LLC knowingly bought the property at foreclosure for 251K and assumed risks. This was after the HOA had raised issues to DCRA about unauthorized permitting. This was public information as DCRA had a stop work order on the building. Regardless of knowledge or lack thereof, the HOA holds majority ownership and you will need our approval to make this unit legal which comes with our fair and balanced terms. In the meantime, we'll protect our investment in the building and the future owner of the property.

Finally, I find the use of "New Owner" is misleading. This was a clever paper change. You're the contact and President for both LLCs (SC Holdings Peabody LLC and Santorini Capital), therefore ownership changed in the LLC sense but not in a way that is materially important for the HOAs stance:

Error! Filename not specified.

[Santorini Capital LLC](#)

[SC Peabody LLC](#)

Hopefully we're able to find middle ground and this would be something that is in everyone's best interest. Until then –

Mr. Legrant, Mr. Rohan Reid, Ms. Bardin – The HOA is opposed to an updated CofO and BZA relief until we can finish negotiations with Mr. Snider and receive unpaid HOA dues and strike a bargain for the structural and construction defects to the building. These are issues that a DCRA inspector should/would find in the process of approving any change to permits anyways. The reports have been shared with DCRA and BZA already.

Best,

-Mohammad

(240) 482-6127

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 4:28 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert

<denglebert1@outlook.com>, matthew.legrant@dc.gov
<matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin,
Sara (DCOZ) <sara.bardin@dc.gov>, Mike Kuehn <mike@mkuehn.com>,
Adam Carballo <adam@carballoarch.com>, Hannah Breedlove
<hannah@carballoarch.com>
Subject: RE: 5912 9th St NW

Mr. Hassan—thank you for your e-mail. I appreciate your call earlier today and the opportunity to substantively discuss the 9th Street matter after trying to reach you by e-mail and phone numerous times over the past several weeks. As you know, Santorini Capital was the lender that financed the purchase and renovation of the property located at 5912 9th St NW (the "Property" or "Building"). Santorini was **not** the developer that bought the Building and performed the renovation (the "Developer"). Santorini funded the loan, and the Developer completed the renovation, sold four units and was seeking a Certificate of Occupancy for a fifth unit when DCRA issued a letter that the Developer did not have the necessary permits to build a fifth unit in the Building. Following numerous defaults by the Developer, Santorini foreclosed on its first trust lien on the Property (which, at that point, after the sale of four units, was a lien on Unit 5 only), and Unit 5 was acquired at the foreclosure sale by SC Holdings Peabody LLC (the "New Owner"). Neither Santorini nor the New Owner developed or renovated the Property. The New Owner understands its obligation to pay HOA dues. However, it is not liable for nor willing to pay amounts required to address "structural and other major issues with the building." I understand that you did not anticipate these issues as first time homeowners. Similarly, Santorini and the New Owner did not anticipate these issues as a lender or foreclosure purchaser, respectively. The problems were caused by the Developer. We believe it is in the HOA's best interest to put "on line" an additional Unit owner that will pay HOA dues to address condominium issues that have identified. And, I believe, we should seek redress from the Developer responsible for creating the unfortunate situation in which we both find ourselves. We look forward to working with you and hope you will support the BZA filing that has been made. Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, July 13, 2022 3:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

Mr. Snider,

As a recap to our conversations, we discussed:

- Unpaid HOA Dues; please find attached. There is an overdue amount of **\$6,846.00** (inclusive of upcoming August payment). This can be cause for the [HOA to place a lien](#), an option we rather not exercise. As a gesture of good will, we've also waived any and all late fees.
- Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now.

We recognize it's in your best interest to have HOA approval for BZA Zoning relief and DCRA CofO review. As majority owners of the building, any permit or CofO changes require HOA approval. A bargain can be struck where we support you in remediating current issues while also protecting against the risk of future issues due to poor construction.

As first time homeowners, we did not anticipate the number of issues we've faced and we're at a point, where we're willing to work with you, BZA, DCRA to reach a mutually beneficial agreement that meets all parties interests.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Monday, June 27, 2022 at 8:41 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Steven,

Are you available to talk tomorrow at 9am or 2pm? I can give you a call then.

Best,

-Mohammad

On Jun 20, 2022, 5:22 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Thank you.

Sent from my iPhone

On Jun 20, 2022, at 5:21 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,

-Mohammad

On Jun 20, 2022, 5:14 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

[2000 Massachusetts Avenue, N.W.](#)

[Washington, D.C. 20036](#)

Office: [202-293-9400/ext. 1](#)

Direct: 202-293-9621

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steven.snider@sniderweinstein.com

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(i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Steven Snider
Sent: Thursday, June 16, 2022 1:40 PM
To: hassan9291@gmail.com
Subject: 5912 9th St NW

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

Steven S. Snider, Esq.
Snider & Weinstein PLLC
2000 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

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steven.snider@sniderweinstein.com

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Mohammad Hassan <hassan9291@gmail.com>

Fri, Sep 30, 2022 at 1:38 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>, Hannah Breedlove <hannah@carballoarch.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, "Philipps, Bradley"

<bradley.philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, "matthew.legrant@dc.gov"

<matthew.legrant@dc.gov>, "rohan.reid@dc.gov" <rohan.reid@dc.gov>, "Bardin, Sara (DCOZ)" <sara.bardin@dc.gov>, "ANC 4B Office (ANC 4B)" <4B@anc.dc.gov>, Caitlin Mullett <caitlin@carballoarch.com>

Thanks for the context. Based on history of documented past action, I maintain that authorization is not granted.

Best,

-Mohammad

On Sep 30, 2022 at 1:35 PM -0400, Hannah Breedlove <hannah@carballoarch.com>, wrote:

Hi Mr. Hassan,

I understand that you and Steven are still in financial negotiations, but hopefully I can provide some clarity regarding why we are asking for this particular authorization in the meantime.

The BZA is looking at this as if the building itself is asking for the relief. Our ultimate goal is to obtain a Certificate of Occupancy for the fifth floor so that it is no longer vacant. In order to proceed with this, the BZA asked for a letter using that specific vocabulary that essentially states that Mr. Snider would act on behalf of the building, authorizing him to act more or less as the property owner for the sake of the application. The intent is not for this to be an act that grants Mr. Snider any power beyond getting the permits and ultimately a Certificate of Occupancy, and the letter limits his authorization as such.

We appreciate your willingness to work with Mr. Snider and our office as we try to resolve this. Mr. Snider has expressed his commitment to resolving the outstanding issues such as past due payments and structural work, and this commitment has already been entered as evidence with the BZA. So that we may proceed with the timeframe that was determined by the BZA in an effort to better the building, we would greatly appreciate it if you would be willing to grant the authorization prior to future negotiations but on the basis that Mr. Snider is actively complying with the agreed upon items.

This project is being heard by the BZA on October 5th. You are more than welcome to join this meeting and be a part of the discussion. We want to be transparent and keep you and the HOA involved in the process, but the letter is required by the BZA in order to present the case at all on Wednesday.

Thank you for your consideration, and please let me know if I can answer any specific questions.

Best,
Hannah



Hannah Breedlove – Design Associate
Carballo Architecture, LLC
1816 Aliceanna Street- Baltimore, MD 21231
hannah@carballoarch.com
443.963.1077 ext. 102 office
carballoarchitecture.com

Office hours: M-Th 8:30A-5:30P, F 8:30A-3PM

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Friday, September 30, 2022 at 1:32 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <bradley.philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

Thanks for this information.

You're welcome to work with them but this does not change payment owed or that there are structural issues with the building as determined by the vendors we've already worked with.

Therefore I see no value in working with your elected vendors.

Any findings you identified by your vendor will not be taken under consideration by this HOA.

Please limit communication accordingly.

Best,
-Mohammad

On Sep 30, 2022 at 1:25 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

I direct you to Hannah, the architect handling this matter. She will directly address with you what is needed. Thank you.

Steven S. Snider, Esq.
Snider & Weinstein PLLC
2000 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Friday, September 30, 2022 12:45 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <bradley.philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

Hey Steven,

Thanks for this. The attachment, from my understanding, states that you will be granted authority to act as representative of the HOA.

Is that the correct interpretation? If so, that is not true.

We did, however, discuss remediating property issues as outlined on my email on September 21st.

To be clear, we do not authorize you to act on behalf of the HOA. We have never discussed this and it's off the table for future negotiations, until you provide past due payments and work with us to make the structure sound.

Let me know if you have any questions and I look forward to hearing back from you.

Thanks,

-Mohammad

On Sep 30, 2022 at 12:24 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Please execute the attached and return to me by e-mail with a copy to all parties copied on this e-mail. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider

Sent: Friday, September 30, 2022 11:57 AM

To: 'Mohammad Hassan' <hassan9291@gmail.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

Confirmed. Please forward the HOA's wire instructions. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, September 21, 2022 4:58 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: 'Adam Carballo' <adam@carballoarch.com>; 'Mike Kuehn' <mike@mkuehn.com>; 'Hannah Breedlove' <hannah@carballoarch.com>; 'Philipps, Bradley' <Bradley.Phipp@katzmedia.com>; 'Delaine Englebert' <denglebert1@outlook.com>; 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>; 'rohan.reid@dc.gov' <rohan.reid@dc.gov>; 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>; 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Steven – the HOA has a revised agreement.

1. Immediately following the successful deposit of the check in the amount of \$3,548 to the HOAs account, the HOA will e-mail Mr. Steven Snider the HOA reports reflecting the issues at the property.
2. The HOA will cooperate with Unit 5 owner, Mr. Steven Snider in seeking BZA approval of its pending case. Cooperation shall include adequate consideration of all requests for signatures:
 - a. HOA will consider the letters that Unit 5 owner, Steven Snider requests sign-off on and weigh that against the HOA needs (i.e. structural soundness, pre-existing issues, etc.) seeking to collaborate and find common ground in good faith.
 - b. If Unit 5 owner, does not seek common ground in good faith this agreement is voided.
3. Unit 5 owner will begin making monthly payments for the HOA dues the subsequent month after this agreement is made, while paying existing overdue payments after successfully navigating BZA and DCRA to obtain a new CofO (Note: this would be before selling as you may know the prior owners obligations to pay dues are moot after sale)
4. If the Unit 5 owner does not continue to make monthly payments and breaches this agreement, this agreement is voided.

Please confirm the foregoing and we are prepared to move forward. Thanks, Steven.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, September 21, 2022 at 4:12 PM
To: 'Mohammad Hassan' <hassan9291@gmail.com>
Cc: 'Adam Carballo' <adam@carballoarch.com>, 'Mike Kuehn' <mike@mkuehn.com>, 'Hannah Breedlove' <hannah@carballoarch.com>, 'Philipps, Bradley' <Bradley.Phipps@katzmedia.com>, 'Delaine Englebert' <denglebert1@outlook.com>, 'matthew.legrant@dc.gov' <matthew.legrant@dc.gov>, 'rohan.reid@dc.gov' <rohan.reid@dc.gov>, 'Bardin, Sara (DCOZ)' <sara.bardin@dc.gov>, 'ANC 4B Office (ANC 4B)' <4B@anc.dc.gov>
Subject: RE: 5912 9th St NW

Mohammad—I hope this e-mail finds you well. For almost one month, I have not received a response from you to my e-mail of August 29, 2022. See below. I believe it reflects, with certain clarifications, the offer you stated was reasonable in your e-mail to me of August 24, 2022. See below. Can I expect to hear from you shortly? Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Monday, August 29, 2022 4:53 PM
To: Mohammad Hassan <hassan9291@gmail.com>
Subject: RE: 5912 9th St NW

Mohammad—assuming you're in agreement with the below, I will send you a check for \$3,548:

1. Immediately following receipt of the check, you will e-mail me reports that you referred to in prior e-mails.
2. You will cooperate with the Unit 5 owner in seeking BZA approval of its pending case. Cooperation shall include signing whatever letters or documents are required to support obtaining such approval.
3. We will work together to figure out what issues exist with respect to Unit 5 that may be affecting other parts of the building and, based upon such review, address how to fairly allocate costs to rectify the issue(s).
4. The Unit 5 owner will pay the balance of the condo fees when Unit 5 is sold without any late fees.

Please confirm the foregoing and I will send the check. Thanks, Mohammad.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

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steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Monday, August 29, 2022 8:00 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Mr. Snider,

The condo dues invoice is attached. The dues are fixed-price with equal interest at \$250/month for each unit.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Thursday, August 25, 2022 at 5:48 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Subject: RE: 5912 9th St NW

Mohammad—please send me the condo dues invoice? Is Unit 5's portion based upon an allocation of its actual square feet?

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, August 24, 2022 6:03 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

The Condo Association appreciates the offer and it is a reasonable one. We agree to accept ½ the owed condo dues and in good faith will share our reports in exchange.

What principle or guiding method will we use to determine the issues that "might be addressed by the Unit 5 owner"? We also anticipate known unknowns. For instance the HOA has recently had unknown leaks wherein DC water usage skyrocketed. The cost here was ~\$900.

DC water does not reimburse in these cases unless we can prove it is a misreading by hiring a third party professional to do a top-down inspection. We believe these to be systemic issues as we've had multiple other such leaks since purchase:

We haven't yet had the funds to have an expert do said top-down inspection. Many defects such as these are pre-existing.

Do we have agreement from Unit 5 owner to fairly split the costs for additional third-party professionals to further ascertain the depth of issues?

I await your response.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Thursday, August 18, 2022 at 5:38 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: RE: 5912 9th St NW

The owner of Unit 5 is in a position to pay ½ of the Unit 5 HOA fees at this time. Thereafter, we would like you to present your list, backed up by a third party professional report that I understand you have, identifying any structural issues of concern with respect to Unit 5. Once we agree on what issues might be addressed by the Unit 5 owner, the balance of the dues would be paid subject to your cooperating in the upcoming BZA hearing to enable the Unit 5 owner to obtain approvals requested from the BZA. I await your thoughts.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 9:38 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>

Cc: Adam Carballo <adam@carballoarch.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>; ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

I also raised the issues of HOA dues and since you agreed that "the New Owner understands its obligation to pay HOA dues." It make sense to deal with interests where both parties are agreed on responsibility.

It'll go a long way in an action oriented way in demonstrating your commitment to a collaborative relationship. Since you're having difficulty imaging my surprise, let me say it bluntly. My intention in working with you was to negotiate a win-

win that balances the impact on all parties. Since you've played hardball and made some serious accusations, let's just start where we both agree, which is that you owe **\$6,846.00** in dues wherein the HOA has kindly waived penalties until the end of the month.

You went behind the HOAs back, falsified statements of ownership in your BZA filing, asserted your legal muscle claiming 'extortion' on the HOAs behalf, made it about 'money' at the BZA hearing, yet refuse to pay dues that you agree you owe. I'm sure you can see the surprise and irony in all of that. Now that BZA agrees with the HOAs ownership stance, you want us to share our resources with no skin-in-the-game from you? No thank you. You changed the rules and we have to adapt.

So in the spirit of working collaboratively which we both said you also wanted, I would appreciate that you paid the dues.

I look forward to our renewed and collaborative relationship rooted in actionable signs of collaboration.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 9:06 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Philipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—since you have raised structural issues, I would appreciate your sending me a copy of the reports you referenced during our call earlier today. The title holder of Unit 5 needs to assess these issues and address the appropriate party or parties to pursue to have any legitimate issues rectified. I understand your position regarding the HOA dues but am unable to imagine your surprise. Like you, however, I look forward to a collaborative relationship going forward. Regards. Steve

Sent from my iPad

On Jul 13, 2022, at 8:38 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Snider,

Please pay the outstanding HOA dues. The first time we sent over an email to you requesting them was on **Tuesday, May 4, 2021 at 9:03 AM**. We'll begin assessing late fees at the end of this month for every subsequent month until payment is made.

When I spoke to you this morning, you asked me, "When is the hearing? Has it happened already?" and I let you know it was today and that I wouldn't be able to attend due to work commitments. Imagine my surprise to hear you on the YouTube recording of the hearing and your assertions .

I look forward to your payment and a more collaborative relationship going forward.

Best,

-Mohammad

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 8:29 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Adam Carballo <adam@carballoarch.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, ANC 4B Office (ANC 4B) <4B@anc.dc.gov>

Subject: Re: 5912 9th St NW

Mr. Hassan—please send me a copy of the report(s) you referenced in your e-mail earlier today. Thank you.

Sent from my iPhone

On Jul 13, 2022, at 8:27 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Mr. Carballo,

Please include me on all correspondence with the ANC as owners of the building and representative of the HOA.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>

Date: Wednesday, July 13, 2022 at 6:37 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Subject: Re: 5912 9th St NW

No, the HOA is saying the following: The issues with the structure are due to the load bearing nature of Unit 5 which you knowingly bought into and we ask you to fix or pay for the fix so the building is safe and sound for us and the future owner you'll eventually sell to.

Alternatively, maybe you can just tear it down? That would be just as good from our perspective but likely not yours. Are you willing to do this?

I didn't hear from you on when you'll pay dues? They've been outstanding for years.

In any case, as I stated, the HOA has the approval authority and we'd like to work with you, not against you. This is in spite of the fact you haven't paid a single dollar in dues for multiple years, tried to sidestep our authority with the BZA and DCRA and finally claimed ownership of "5912 9th St NW (Square 2986, Lot 25)" in the BZA application which is not true. The HOA owns the building/property. The DCOZ Application requirements [here](#) are clear in defining the owner, "The **owner of property** for which zoning relief is sought, or an authorized representative, shall file an application with the Office of Zoning." (Subtitle Y § 300.4.)"

It is inappropriate for you to insinuate that the two LLCs aren't backed by the same person and mislead DCRA and BZA as owners of "5912 9th St NW (Square 2986, Lot 25)" in your filings. Furthermore, please do not label fair ask as extortion. And finally if you're going to claim all of this, please at least pay a single dollar in HOA dues first.

I know you're a [big lawyer and financier](#) and we're small first time homeowners but we're playing fair and firm. I hope you'll join us.

From: Steven Snider <Steven.Snider@sniderweinstein.com>
Date: Wednesday, July 13, 2022 at 5:46 PM
To: Mohammad Hassan <hassan9291@gmail.com>, Mike Kuehn <mike@mkuehn.com>, Hannah Breedlove <hannah@carballoarch.com>, Adam Carballo <adam@carballoarch.com>
Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: RE: 5912 9th St NW

They key part of your e-mail is:

"Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now."

HOA is basically saying that we need its approval to obtain BZA approval and a CofO. The cost of such approval is that the Unit 5 owner pay for "current and future issues and/or pay our contractors to fix the issues now." I abhor extortion. Santorini was the lender. SC Holdings Peabody LLC was the purchaser at a foreclosure initiated by Santorini. Neither is a Developer. It is not appropriate for you to demand that Santorini or SC Holdings Peabody LLC assume the Developer's responsibility to obtain HOA approval.

Steven S. Snider, Esq.

Snider & Weinstein PLLC
2000 Massachusetts Avenue, N.W.
Washington, D.C. 20036

Office: 202-293-9400/ext. 1

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Cell: 202-714-9677

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steven.snider@sniderweinstein.com

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From: Mohammad Hassan <hassan9291@gmail.com>

Sent: Wednesday, July 13, 2022 5:25 PM

To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>; Hannah Breedlove <hannah@carballoarch.com>; Adam Carballo <adam@carballoarch.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>

Subject: Re: 5912 9th St NW

Mr. Snider,

Thanks for your response.

1. When can the HOA expect payment for the unpaid HOA dues?
2. You still need HOA approval to receive BZA relief and/or an updated CofO. Please share your written request to the HOA to evaluate. DCRA cannot provide an updated CofO until the HOA approves. We're the majority owners of "5912 9th St NW (Square 2986, Lot 25)", not "SC Holdings Peabody, LLC"

While I appreciate that you're also in a unfortunate situation. You worked with Tom/Mick ("the developer") and financed the original project. Furthermore, Santorini Capital and SC Holdings Peabody, LLC knowingly bought the property at foreclosure for 251K and assumed risks. This was after the HOA had raised issues to DCRA about unauthorized permitting. This was public information as DCRA had a stop work order on the building. Regardless of knowledge or lack thereof, the HOA holds majority ownership and you will need our approval to make this unit legal which comes with our fair and balanced terms. In the meantime, we'll protect our investment in the building and the future owner of the property.

Finally, I find the use of "New Owner" is misleading. This was a clever paper change. You're the contact and President for both LLCs (SC Holdings Peabody LLC and Santorini Capital), therefore ownership changed in the LLC sense but not in a way that is materially important for the HOAs stance:

Error! Filename not specified.

[Santorini Capital LLC](#)

[SC Peabody LLC](#)

Hopefully we're able to find middle ground and this would be something that is in everyone's best interest. Until then –

Mr. Legrant, Mr. Rohan Reid, Ms. Bardin – The HOA is opposed to an updated CofO and BZA relief until we can finish negotiations with Mr. Snider and receive unpaid HOA dues and strike a bargain for the structural and construction defects to the building. These are issues that a DCRA inspector should/would find in the process of approving any change to permits anyways. The reports have been shared with DCRA and BZA already.

Best,

-Mohammad

(240) 482-6127

From: Steven Snider <Steven.Snider@sniderweinstein.com>

Date: Wednesday, July 13, 2022 at 4:28 PM

To: Mohammad Hassan <hassan9291@gmail.com>

Cc: Philipps, Bradley <Bradley.Phipps@katzmedia.com>, Delaine

Englebert <denglebert1@outlook.com>, matthew.legrant@dc.gov <matthew.legrant@dc.gov>, rohan.reid@dc.gov <rohan.reid@dc.gov>, Bardin, Sara (DCOZ) <sara.bardin@dc.gov>, Mike Kuehn <mike@mkuehn.com>, Adam Carballo <adam@carballoarch.com>, Hannah Breedlove <hannah@carballoarch.com>
Subject: RE: 5912 9th St NW

Mr. Hassan—thank you for your e-mail. I appreciate your call earlier today and the opportunity to substantively discuss the 9th Street matter after trying to reach you by e-mail and phone numerous times over the past several weeks. As you know, Santorini Capital was the lender that financed the purchase and renovation of the property located at 5912 9th St NW (the “Property” or “Building”). Santorini was **not** the developer that bought the Building and performed the renovation (the “Developer”). Santorini funded the loan, and the Developer completed the renovation, sold four units and was seeking a Certificate of Occupancy for a fifth unit when DCRA issued a letter that the Developer did not have the necessary permits to build a fifth unit in the Building. Following numerous defaults by the Developer, Santorini foreclosed on its first trust lien on the Property (which, at that point, after the sale of four units, was a lien on Unit 5 only), and Unit 5 was acquired at the foreclosure sale by SC Holdings Peabody LLC (the “New Owner”). Neither Santorini nor the New Owner developed or renovated the Property. The New Owner understands its obligation to pay HOA dues. However, it is not liable for nor willing to pay amounts required to address “structural and other major issues with the building.” I understand that you did not anticipate these issues as first time homeowners. Similarly, Santorini and the New Owner did not anticipate these issues as a lender or foreclosure purchaser, respectively. The problems were caused by the Developer. We believe it is in the HOA's best interest to put “on line” an additional Unit owner that will pay HOA dues to address condominium issues that have identified. And, I believe, we should seek redress from the Developer responsible for creating the unfortunate situation in which we both find ourselves. We look forward to working with you and hope you will support the BZA filing that has been made. Kind regards. Steve

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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promoting, marketing or recommending to another party any transaction or matter addressed herein.

From: Mohammad Hassan <hassan9291@gmail.com>
Sent: Wednesday, July 13, 2022 3:37 PM
To: Steven Snider <Steven.Snider@sniderweinstein.com>; Mike Kuehn <mike@mkuehn.com>
Cc: Philipps, Bradley <Bradley.Philipps@katzmedia.com>; Delaine Englebert <denglebert1@outlook.com>; matthew.legrant@dc.gov; rohan.reid@dc.gov; Bardin, Sara (DCOZ) <sara.bardin@dc.gov>
Subject: Re: 5912 9th St NW

Mr. Snider,

As a recap to our conversations, we discussed:

- Unpaid HOA Dues; please find attached. There is an overdue amount of **\$6,846.00** (inclusive of upcoming August payment). This can be cause for the [HOA to place a lien](#), an option we rather not exercise. As a gesture of good will, we've also waived any and all late fees.
- Structural and other major issues with the building. You requested a dollar amount associated with the fixes. I'll do my due diligence to get that to you soon. After this point, there is a decision to be made. Do you want to strike a bargain with us in a lump sum payment to protect the building against current and future issues and/or pay your contractors to fix the issues now.

We recognize it's in your best interest to have HOA approval for BZA Zoning relief and DCRA CofO review. As majority owners of the building, any permit or CofO changes require HOA approval. A bargain can be struck where we support you in remediating current issues while also protecting against the risk of future issues due to poor construction.

As first time homeowners, we did not anticipate the number of issues we've faced and we're at a point, where we're willing to work with you, BZA, DCRA to reach a mutually beneficial agreement that meets all parties interests.

Best,

-Mohammad

(240) 482-6127

From: Mohammad Hassan <hassan9291@gmail.com>
Date: Monday, June 27, 2022 at 8:41 AM
To: Steven Snider <Steven.Snider@sniderweinstein.com>
Subject: Re: 5912 9th St NW

Steven,

Are you available to talk tomorrow at 9am or 2pm? I can give you a call then.

Best,

-Mohammad

On Jun 20, 2022, 5:22 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Thank you.

Sent from my iPhone

On Jun 20, 2022, at 5:21 PM, Mohammad Hassan <hassan9291@gmail.com> wrote:

Steven—thank you for your e-mail. I'm on vacation until mid-week. When I return, I will be in a position to give you a call. Kind regards.

Best,

-Mohammad

On Jun 20, 2022, 5:14 PM -0400, Steven Snider <Steven.Snider@sniderweinstein.com>, wrote:

Mr. Hassan—I sent you the below e-mail on June 16th. When you have a moment, please call me—202.714.9677. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

Fax: 202-293-9401

steven.snider@sniderweinstein.com

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From: Steven Snider
Sent: Thursday, June 16, 2022 1:40 PM
To: hassan9291@gmail.com
Subject: 5912 9th St NW

Mr. Hassan—when you have a moment, I would appreciate your calling me on my cell to discuss your concerns regarding Unit 5's BZA submission. Thank you.

Steven S. Snider, Esq.

Snider & Weinstein PLLC

2000 Massachusetts Avenue, N.W.

Washington, D.C. 20036

Office: 202-293-9400/ext. 1

Direct: 202-293-9621

Cell: 202-714-9677

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steven.snider@sniderweinstein.com

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